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Agenda item 110

Promotion and protection of the rights of children

Andorra, Angola, Argentina, Bangladesh, Barbados, Belgium, Belize, Benin, Bhutan, Botswana, Brazil, Canada, Cape Verde, Chile, Cuba, Cyprus, Democratic Republic of the Congo, Denmark, Ecuador, Ethiopia, Fiji, Finland, France, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Italy, Lesotho, Liechtenstein, Luxembourg, Malawi, Monaco, Mozambique, Namibia, Nepal, Netherlands, Nigeria, Norway, Portugal, Saint Lucia, San Marino, Senegal, South Africa, Spain, Swaziland, Sweden, the former Yugoslav Republic of Macedonia, Trinidad and Tobago, Uganda, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Zambia and Zimbabwe: draft resolution

The girl child

The General Assembly,

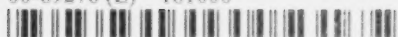
Recalling its resolution 54/148 of 17 December 1999 and all previous relevant resolutions, including the agreed conclusions of the Commission on the Status of Women, in particular those relevant to the girl child,

Recalling also all relevant United Nations conferences and the Declaration and Agenda for Action of the World Congress against Commercial Sexual Exploitation of Children, held at Stockholm from 27 to 31 August 1996,¹ as well as the final outcome documents of the recent five-year reviews of the implementation of the Programme of Action of the International Conference on Population and Development² and the Programme of Action of the World Summit for Social Development,³

¹ A/51/385, annex.

² *Report of the International Conference on Population and Development, Cairo, 5-13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution I, annex.

³ *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution I, annex II.



Deeply concerned about discrimination against the girl child and the violation of the rights of the girl child, which often result in less access for girls to education, nutrition, physical and mental health care and in girls enjoying fewer of the rights, opportunities and benefits of childhood and adolescence than boys and often being subjected to various forms of cultural, social, sexual and economic exploitation and to violence and harmful practices such as female infanticide, incest, early marriage, prenatal sex selection and female genital mutilation,

Recognizing the need to achieve gender equality so as to ensure a just and equitable world for girls,

Deeply concerned that, in situations of poverty, war and armed conflict, girl children are among the victims most affected and that thus their potential for full development is limited,

Concerned that the girl child has furthermore become a victim of sexually transmitted diseases and the human immunodeficiency virus, which affects the quality of her life and leaves her open to further discrimination,

Reaffirming the equal rights of women and men as enshrined, inter alia, in the Preamble to the Charter of the United Nations, the Convention on the Elimination of All Forms of Discrimination against Women⁴ and the Convention on the Rights of the Child,⁵

Reaffirming also the political declaration⁶ and further actions and initiatives to implement the Beijing Declaration and Platform for Action,⁷ adopted by the General Assembly at its twenty-third special session entitled "Women 2000: gender equality, development and peace for the twenty-first century",

Reaffirming further the Declaration of the World Education Forum, held at Dakar, from 26 to 28 April 2000,

1. *Stresses* the need for full and urgent implementation of the rights of the girl child as guaranteed to her under all human rights instruments, including the Convention on the Rights of the Child⁵ and the Convention on the Elimination of All Forms of Discrimination against Women,⁴ as well as the need for universal ratification of those instruments;

2. *Urges* States to consider signing and ratifying the Optional Protocol⁸ to the Convention on the Elimination of All Forms of Discrimination against Women;

3. *Welcomes* the adoption of the optional protocols⁹ to the Convention on the Rights of the Child on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography and invites States to consider signing and ratifying the optional protocols as a matter of priority with a view to their entry into force as soon as possible;

⁴ Resolution 34/180, annex.

⁵ Resolution 44/25, annex.

⁶ Resolution S-23/2, annex.

⁷ Resolution S-23/3, annex.

⁸ Resolution 54/4, annex.

⁹ Resolution 54/263, annexes I and II.

4. *Also welcomes* the girls' education initiative launched by the Secretary-General at the World Education Forum, held at Dakar, from 26 to 28 April 2000;

5. *Urges* all Governments and the United Nations system to strengthen efforts bilaterally and with international organizations and private sector donors in order to achieve the goals of the World Education Forum, in particular that of eliminating gender disparities in primary and secondary education by 2005, and for the implementation of the girls' education initiative as a means of reaching this goal, and reaffirms the commitment contained in the United Nations Millennium Declaration;¹⁰

6. *Calls upon* all States to take measures to address the obstacles that continue to affect the achievement of the goals set forth in the Platform for Action of the Fourth World Conference on Women,¹¹ as contained in paragraph 33 of the further actions and initiatives to implement the Platform for Action,⁷ where appropriate, including the strengthening of national mechanisms to implement policies and programmes for the girl child and, in some cases, to enhance the coordination among responsible institutions for the realization of the human rights of girls, as indicated in the further actions and initiatives;

7. *Urges* all States to take all necessary measures and to institute legal reforms to ensure the full and equal enjoyment by the girl child of all human rights and fundamental freedoms, to take effective action against violations of those rights and freedoms and to base programmes and policies for the girl child on the rights of the child;

8. *Urges* States to enact and to enforce strictly laws to ensure that marriage is entered into only with the free and full consent of the intending spouses, to enact and to enforce strictly laws concerning the minimum legal age of consent and the minimum age for marriage and to raise the minimum age for marriage where necessary;

9. *Urges* all States to fulfil their obligations under the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women as well as the commitment to implement the Platform for Action of the Fourth World Conference on Women;

10. *Also urges* all States to enact and to enforce legislation to protect girls from all forms of violence, including female infanticide and prenatal sex selection, female genital mutilation, rape, domestic violence, incest, sexual abuse, sexual exploitation, child prostitution and child pornography, and to develop age-appropriate safe and confidential programmes and medical, social and psychological support services to assist girls who are subjected to violence;

11. *Calls upon* all States and international and non-governmental organizations, individually and collectively, to implement further the Platform for Action of the Fourth World Conference on Women, in particular the strategic objectives relating to the girl child and including the further actions and initiatives to implement the Platform for Action;

¹⁰ Resolution 55/2.

¹¹ *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution I, annex II.

12. *Urges* States to take special measures for the protection of war-affected girls, and in particular to protect them from sexually transmitted diseases such as human immunodeficiency virus/acquired immunodeficiency syndrome and gender-based violence, including rape and sexual abuse, torture, sexual exploitation, abduction, and forced labour, paying special attention to refugee and displaced girls, and to take into account the special needs of the war-affected girl child in the delivery of humanitarian assistance and disarmament, demobilization and reintegration processes;

13. *Also urges* all States and the international community to respect, protect and promote the rights of the child, taking into account the particular vulnerabilities of the girl child in pre-conflict, conflict and post-conflict situations and calls for special initiatives designed to address all the rights and needs of war-affected girls;

14. *Welcomes* the holding of the International Conference on War-Affected Children at Winnipeg, Canada, from 10 to 17 September 2000, and notes with appreciation the Winnipeg Agenda for War-Affected Children;¹²

15. *Urges* States to formulate comprehensive, multidisciplinary and coordinated national plans, programmes or strategies to eliminate all forms of violence against women and girls, which should be widely disseminated and should provide targets and timetables for implementation, as well as effective domestic enforcement procedures through the establishment of monitoring mechanisms involving all parties concerned, including consultations with women's organizations, giving attention to the recommendations relating to the girl child of the Special Rapporteur of the Commission on Human Rights on violence against women, its causes and consequences;

16. *Calls upon* Governments, civil society, including the media, and non-governmental organizations to promote human rights education and the full respect for and enjoyment of the human rights of the girl child, inter alia, through the translation, production and dissemination of age-appropriate information materials on those rights to all sectors of society, in particular to children;

17. *Requests* the Secretary-General, as Chairman of the Administrative Committee on Coordination, to ensure that all organizations and bodies of the United Nations system, individually and collectively, in particular the United Nations Children's Fund, the United Nations Educational, Scientific and Cultural Organization, the World Food Programme, the United Nations Population Fund, the United Nations Development Fund for Women, the World Health Organization, the United Nations Development Programme and the Office of the United Nations High Commissioner for Refugees, take into account the rights and the particular needs of the girl child in the country programme of cooperation in accordance with the national priorities, including through the United Nations Development Assistance Framework;¹³

¹² See A/55/467-S/2000/973.

¹³ See A/53/226, paras. 72-77, and A/53/226/Add.1, paras. 88-98.

18. *Requests* all human rights treaty bodies, special procedures and other human rights mechanisms of the Commission on Human Rights and its Subcommission on the Promotion and Protection of Human Rights to adopt regularly and systematically a gender perspective in the implementation of their mandates and to include in their reports information on the qualitative analysis of violations of the human rights of women and girls, and encourages the strengthening of cooperation and coordination in that regard;

19. *Calls upon* States and international and non-governmental organizations to mobilize all necessary resources, support and efforts to realize the goals, strategic objectives and actions set out in the Platform for Action of the Fourth World Conference on Women and the further actions and initiatives to implement the Platform for Action;

20. *Stresses* the importance of a substantive assessment of the implementation of the Platform for Action with a life-cycle perspective so as to identify gaps and obstacles in the implementation process and to develop further actions for the achievement of the goals of the Platform for Action;

21. *Welcomes* the convening of the Second World Congress against Commercial Sexual Exploitation of Children at Yokohama, Japan, from 17 to 20 December 2001, and invites Member States and observers to participate in the Congress;

22. *Encourages* the regional commissions and other regional organizations to carry out activities in support of the preparations for the Second World Congress against Commercial Sexual Exploitation of Children;

23. *Requests* the Secretary-General to ensure that a gender perspective and the needs and rights of the girl child are integrated into the preparatory work for the special session of the General Assembly on the follow-up to the World Summit for Children in 2001, inter alia, by providing the General Assembly with a comprehensive report drawing on the experiences and outcomes of the five-year reviews of the International Conference on Population and Development, the Fourth World Conference on Women and the World Summit for Social Development, and the World Education Forum.



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The rights of the child

The General Assembly,

Recalling its resolutions 54/148 and 54/149 of 17 December 1999, and taking note of Commission on Human Rights resolution 2000/85 of 27 April 2000,¹

Bearing in mind the Convention on the Rights of the Child,² emphasizing that the provisions of the Convention and other relevant human rights instruments must constitute the standard in the promotion and protection of the rights of the child, and reaffirming that the best interest of the child shall be the primary consideration in all actions concerning children,

Reaffirming the World Declaration on the Survival, Protection and Development of Children and the Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the 1990s adopted by the World Summit for Children, held in New York on 29 and 30 September 1990,³ and the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights held at Vienna from 14 to 25 June 1993,⁴ which, *inter alia*, states that national and international mechanisms and programmes for the defence and protection of children, in particular those in especially difficult

* On behalf of the States Members of the United Nations that are members of the Group of Latin American and Caribbean States.

¹ See *Official Records of the Economic and Social Council, 2000, Supplement No. 3 (E/2000/23)*, chap. II, sect. A.

² Resolution 44/25, annex.

³ A/45/625, annex.

⁴ A/CONF.157/24 (Part I), chap. III.



circumstances, should be strengthened, including through effective measures to combat exploitation and abuse of children, such as female infanticide, harmful child labour, sale of children and organs, child prostitution and child pornography, and which reaffirms that all human rights and fundamental freedoms are universal,

Profoundly concerned that the situation of girls and boys in many parts of the world remains critical as a result of the persistence of poverty, social inequality, inadequate social and economic conditions in an increasingly globalized world economy, pandemics, in particular human immunodeficiency virus/acquired immunodeficiency syndrome, natural disasters, armed conflict, displacement, exploitation, illiteracy, hunger, intolerance, discrimination and inadequate legal protection, and convinced that urgent and effective national and international action is called for,

Underlining the need for mainstreaming a gender perspective in all policies and programmes relating to children,

Recognizing the need for the realization of a standard of living adequate for the child's physical, mental, spiritual, moral and social development, the child's protection from torture and other cruel, inhuman or degrading treatment or punishment, the provision of universal and equal access to primary education and the implementation of the commitments on the education of children contained in the United Nations Millennium Declaration,⁵

Concerned at the number of illegal adoptions, of children growing up without parents and of child victims of family and social violence, neglect and abuse,

Welcoming the adoption of the optional protocols⁶ to the Convention on the Rights of the Child on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography,

Recognizing also that partnership between Governments, international organizations and all sectors of civil society, in particular non-governmental organizations, is important to realizing the rights of the child,

Recalling its resolution 54/93, by which it will convene a special session to be held in September 2001 for follow-up to the World Summit for Children, and stressing the importance of addressing the rights and needs of the child in its preparatory process and in the special session,

Stressing the importance of integrating child-related issues into the work of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance to be held in 2001, as well as in the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects and the special session of the General Assembly on the problem of human immunodeficiency virus/acquired immunodeficiency syndrome in all its aspects,

⁵ Resolution 55/2, para. 19.

⁶ Resolution 54/263, annexes I and II.

I. Implementation of the Convention on the Rights of the Child

1. *Once again urges* the States that have not yet done so to sign and ratify or accede to the Convention on the Rights of the Child² as a matter of priority, with a view to reaching the goal of universal adherence as soon as possible;
2. *Invites* States to sign and ratify the optional protocols to the Convention so that they can enter into force as soon as possible, bearing in mind the convening of the special session of the General Assembly for follow-up to the World Summit for Children in September 2001;
3. *Reiterates its concern* at the great number of reservations to the Convention, and urges States parties to withdraw reservations incompatible with the object and purpose of the Convention and to review regularly any reservations with a view to withdrawing them;
4. *Calls upon* States parties to implement fully the Convention, stresses that the implementation of the Convention contributes to the achievement of the goals of the World Summit for Children, and recommends that a thorough assessment of ten years of implementation of the Convention be an essential element in the preparation of the special session;
5. *Urges* States to assure the child who is capable of forming his or her own views the right to express those views freely in all matters affecting him or her, the views being given due weight in accordance with the age and maturity of the child, and in this regard to involve children and youth in their efforts to implement the goals of the World Summit for Children;
6. *Calls upon* States parties to cooperate closely with the Committee on the Rights of the Child and to comply in a timely manner with their reporting obligations under the Convention, in accordance with the guidelines elaborated by the Committee, and encourages States parties to take into account the recommendations made by the Committee in the implementation of the provisions of the Convention;
7. *Reaffirms* the importance of ensuring adequate and systematic training in the rights of the child for professional groups working with and for children, including specialized judges, law enforcement officials, lawyers, social workers, medical doctors, health professionals and teachers, and coordination among various governmental bodies involved in children's rights, and encourages States, relevant bodies and organizations of the United Nations system to continue to promote education and training in this regard;
8. *Requests* the Secretary-General to ensure the provision of appropriate staff and facilities for the effective and expeditious performance of the functions of the Committee, notes the temporary support given by the plan of action of the United Nations High Commissioner for Human Rights to strengthen the important role of the Committee in advancing the implementation of the Convention, and also requests the Secretary-General to make available information on the follow-up to the plan of action;
9. *Calls upon* States parties urgently to take appropriate measures so that acceptance of the amendment to paragraph 2 of article 43 of the Convention by a two-thirds majority of States parties can be reached as soon as possible, in order for the amendment to enter into force, increasing the membership of the Committee

from ten to eighteen experts, bearing in mind the additional workload of the Committee when the two optional protocols to the Convention enter into force;

10. *Invites* the Committee to continue to enhance its constructive dialogue with the States parties and its transparent and effective functioning;

11. *Recommends* that, within their mandates, all relevant human rights mechanisms and all other relevant organs and mechanisms of the United Nations system and the supervisory bodies of the specialized agencies pay attention to particular situations in which children are in danger and in which their rights are violated and that they take into account the work of the Committee, and encourages the further development of the rights-based approach adopted by the United Nations Children's Fund and further steps to increase system-wide coordination and inter-agency cooperation for the promotion and protection of the rights of the child;

12. *Encourages* the Committee, in monitoring the implementation of the Convention, to continue to pay attention to particularly vulnerable children in need of special protection;

13. *Urges* all States to assign priority to activities and programmes aimed at preventing the abuse of narcotic drugs, psychotropic substances and inhalants as well as preventing other addictions, in particular addiction to alcohol and tobacco, among children and youth, especially those in vulnerable situations, and urges all States to counter the use of children and youth in the illicit production and trafficking of narcotic drugs and psychotropic substances;

14. *Encourages* the United Nations Children's Fund to continue to disseminate lessons learned in the implementation of the Convention, including through the further development of the web-based database on laws, structures, policies and processes, adopted at the national level to translate the Convention into practice, and encourages Governments and relevant United Nations bodies, as well as relevant non-governmental organizations and children's rights advocates to continue to contribute to the database;

II. Protection and promotion of the rights of children

Identity, family relations and birth registration

1. *Calls upon* all States to intensify efforts to ensure the registration of all children immediately after birth, including through the consideration of simplified, expeditious and effective procedures;

2. *Also calls upon* all States to undertake to respect the right of the child to preserve his or her identity, including nationality, name and family relations as recognized by law without unlawful interference and, where a child is illegally deprived of some or all of the elements of his or her identity, to provide appropriate assistance and protection with a view to re-establishing speedily his or her identity;

3. *Urges* all States to ensure, as far as possible, the right of the child to know and be cared for by his or her parents;

4. *Also urges* all States to ensure that a child shall not be separated from his or her parents against their will, except when the competent authorities, subject to judicial review, determine, in accordance with applicable law and procedures, that such separation is necessary for the best interest of the child and, where alternative

care is necessary, to promote family and community based care in preference to placement in institutions, recognizing that such determination may be necessary in a particular case, such as one involving abuse or neglect of the child by the parents, or one where the parents are living separately and a decision must be made as to the child's place of residence;

5. *Calls upon* all States to address the number of illegal adoptions and the adoption of children in the context of armed conflict situations that do not follow the normal procedures and that cannot ensure the best interest of the child, of children growing up without parents and of child victims of family and social violence, neglect and abuse;

Health

6. *Calls upon* all States and relevant bodies and organizations of the United Nations system, in particular the World Health Organization and the United Nations Children's Fund, to pay particular attention to the development of sustainable health systems and social services to ensure the effective prevention of diseases, malnutrition, disabilities and infant and child mortality, including through prenatal and post-natal health care, as well as the provision of necessary medical treatment and health care to all children, taking into consideration the special needs of young children and of girls, including prevention of common infectious diseases, the special needs of adolescents, including those relating to reproductive and sexual health and threats from substance abuse and violence, and the particular needs of children living in poverty, children in situations of armed conflict and children in other vulnerable groups, and to strengthen ways of empowering families and communities;

7. *Calls upon* all States to adopt all necessary measures to ensure the full and equal enjoyment of all human rights and fundamental freedoms by children affected by disease and malnutrition, including protection from all forms of discrimination, abuse or neglect, in particular in the access to and provision of health care;

8. *Welcomes* the attention given by the Committee on the Rights of the Child to the realization of the highest attainable standards of health and access to health care and to the rights of children affected by human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS);

9. *Urges* States to give particular emphasis to the prevention of HIV infection in young children by strengthening efforts to prevent adolescents and women from becoming HIV-infected, inter alia by including HIV/AIDS prevention in core educational curricula and by supporting wide-scale voluntary HIV testing and counselling programmes for pregnant women, together with services for HIV-infected pregnant women to reduce the risk of transmitting the virus from mother to child;

10. *Urges* all States to take all necessary measures to protect children infected and/or affected by HIV/AIDS from all forms of discrimination, stigma, abuse and neglect, in particular in the access to and provision of health, education and social services, with a view to the realization of their rights;

11. *Calls upon* the international community, relevant United Nations agencies, funds and programmes and intergovernmental and non-governmental

organizations to intensify their support of national efforts against HIV/AIDS aimed at providing assistance to children infected or affected by the epidemic, including those orphaned as a result of the HIV/AIDS pandemic, focusing in particular on the worst-hit regions of Africa and areas where the epidemic is severely setting back national development gains, calls upon them also to give importance to the treatment, care and support of children infected with HIV/AIDS, and invites them to consider further involving the private sector;

Education

12. *Calls upon* States to recognize the right to education on the basis of equal opportunity by making primary education compulsory and ensuring that all children have access to free and relevant primary education, as well as making secondary education generally available and accessible to all, and in particular by the progressive introduction of free education;

13. *Calls upon* all States to eliminate the gender gap in education, reaffirms the commitment contained in the United Nations Millennium Declaration⁵ to ensure equal access for girls and boys to all levels of education and the completion of a full course of primary schooling by children everywhere, boys and girls alike, by 2015 and encourages the implementation of the girls' education initiative launched by the Secretary-General at the World Education Forum held at Dakar from 26 to 28 April 2000 in order to, inter alia, further develop and implement gender-sensitive strategies in this regard;

14. *Calls upon* States to ensure that emphasis is given to the qualitative aspects of education, that the education of the child is carried out, that States parties develop and implement programmes for the education of the child, in accordance with articles 28 and 29 of the Convention on the Rights of the Child, and that education is directed, inter alia, to the development of respect for human rights and fundamental freedoms and to the preparation of the child for a responsible life in a free society in a spirit of understanding, peace, tolerance, gender equality and friendship among peoples, ethnic, national and religious groups and persons of indigenous origin, and to ensure that children, from an early age, benefit from education on values, attitudes, modes of behaviour and ways of life to enable them to resolve any dispute peacefully and in a spirit of respect for human dignity and of tolerance and non-discrimination, bearing in mind the Declaration and Programme of Action on a Culture of Peace;⁷

15. *Calls upon* all States to take all appropriate measures to prevent racist, discriminatory and xenophobic attitudes and behaviour, through education, keeping in mind the important role that children have to play in changing such practices;

16. *Calls upon* all States to remove educational disparities and make education accessible to children living in poverty, children living in remote areas, children with special educational needs and children requiring special protection, including children affected by armed conflict, refugee children, migrant children, street children, children deprived of their liberty, indigenous children and children belonging to minorities;

⁷ Resolution 53/243.

17. *Calls upon* States, educational institutions and the United Nations system, in particular the United Nations Children's Fund, the United Nations Development Fund for Women and the United Nations Educational, Scientific and Cultural Organization, to develop and implement gender-sensitive strategies to address the particular needs of the girl child in education;

Freedom from violence

18. *Reaffirms* the obligation of States to protect children from torture and other cruel, inhuman or degrading treatment or punishment;

19. *Calls upon* States to take all appropriate measures to prevent all forms of violence against children and to protect them from torture and other forms of violence, including physical violence, corporal punishment, mental and sexual violence, abuse by the police, other law enforcement authorities or employees in juvenile detention centres or orphanages, and domestic violence;

20. *Calls upon* States to investigate and submit cases of torture and other forms of violence against children to the competent authorities for the purpose of prosecution and to impose appropriate disciplinary or penal sanctions against those responsible for such practices;

21. *Requests* all relevant human rights mechanisms, in particular special rapporteurs and working groups, within their mandates, to pay attention to the special situations of violence against children, reflecting their experiences in the field;

22. *Takes note* of the general discussion on State violence against children held by the Committee on the Rights of the Child on 22 September 2000,⁸ and welcomes the forthcoming general discussion on violence suffered by children in schools and within the family to be held in September 2001;

23. *Requests* the Secretary-General to undertake a comprehensive study on the issue of violence against children, exploring its different forms and identifying its causes, its extent and its impact on children, and requests Member States and the United Nations entities, including the United Nations Children's Fund, as well as other relevant intergovernmental and non-governmental organizations, to contribute to this study;

III. Promotion and protection of the rights of children in particularly vulnerable situations and non-discrimination against children

Plight of children working and/or living on the streets

1. *Calls upon* Governments to seek comprehensive solutions to the problems causing children to work and/or live on the streets and to implement appropriate programmes and policies for the protection and the rehabilitation and reintegration of those children, bearing in mind that such children are particularly vulnerable to all forms of violence, abuse, exploitation and neglect;

2. *Calls upon* all States to ensure that basic social services, notably education are provided for children to divert them from and to address the economic imperatives for involvement in harmful, exploitative and abusive activity;

⁸ See CRC/C/SR.649 and 650.

3. *Strongly urges* all Governments to guarantee respect for all human rights and fundamental freedoms, in particular the right to life, to take urgent and effective measures to prevent the killing of children working and/or living on the streets, to combat torture and abusive treatment and violence against them and to bring the perpetrators to justice;

4. *Calls upon* the international community to support, through effective international cooperation, including technical advice and assistance, the efforts of States to improve the situation of children working and/or living on the streets;

Refugee and internally displaced children

5. *Urges* Governments to improve the implementation of policies and programmes for the protection, care and well-being of refugee and internally displaced children and for the provision of basic social services, including access to education, with the necessary international cooperation, in particular with the Office of the United Nations High Commissioner for Refugees, the United Nations Children's Fund and the Representative of the Secretary-General on internally displaced persons, in accordance with the obligations of States under the Convention on the Rights of the Child;

6. *Calls upon* all States and other parties to armed conflict, as well as United Nations bodies and organizations, to give urgent attention, in terms of protection and assistance, to the fact that refugee and internally displaced children are particularly exposed to risks in connection with armed conflict, such as being forcibly recruited or subjected to sexual violence, abuse or exploitation;

7. *Expresses its deep concern* about the growing number of unaccompanied refugee and internally displaced children, and calls upon all States and United Nations bodies and agencies and other relevant organizations to give priority to programmes for family tracing and reunification and to continue to monitor the care arrangements for unaccompanied refugee and internally displaced children;

Children with disabilities

8. *Encourages* the Working Group on the rights of children with disabilities to put into practice as soon as possible the recommendations arising from the day of general discussion on the rights of children with disabilities held on 6 October 1997,⁹ including the drafting of a plan of action on children with disabilities, in close cooperation with the Special Rapporteur on Disability of the Commission for Social Development and other relevant parts of the United Nations system;

9. *Calls upon* all States to take all necessary measures to ensure the full and equal enjoyment of all human rights and fundamental freedoms by children with disabilities and to develop and enforce legislation against their discrimination to ensure dignity, promote self-reliance and facilitate the child's active participation in the community, including effective access to education and health services;

Migrant children

10. *Calls upon* States to protect all human rights of migrant children, in particular unaccompanied migrant children, and to ensure that the best interest of the

⁹ See *Official Records of the General Assembly, Fifty-third Session, Supplement No. 41 (A/53/41)*, paras. 1399-1428, and *ibid.*, *Fifty-fifth Session, Supplement No. 41 (A/55/41)*, paras. 1501-1506.

child shall accordingly be a primary consideration, and encourages the Committee on the Rights of the Child, the United Nations Children's Fund and other relevant United Nations bodies, within their respective mandates, to pay particular attention to the conditions of migrant children in all States and, as appropriate, to make recommendations to strengthen their protection;

11. *Also calls upon* States to cooperate fully with and to assist the Special Rapporteur on the human rights of migrants, in order to address the particular vulnerable conditions of migrant children;

IV. Prevention and eradication of the sale of children and of their sexual exploitation and abuse, including child prostitution and child pornography

1. *Welcomes* the interim report of the Special Rapporteur of the Commission on Human Rights on the sale of children, child prostitution and child pornography, and expresses its support for her work;¹⁰

2. *Requests* the Secretary-General to provide the Special Rapporteur with all necessary human and financial assistance to enable her to discharge her mandate fully;

3. *Calls upon* States to continue to cooperate with the Special Rapporteur and to give full consideration to all her recommendations;

4. *Invites* further voluntary contributions through the Office of the United Nations High Commissioner for Human Rights and support for the work of the Special Rapporteur for the effective fulfilment of her mandate;

5. *Welcomes* the large number of signatories to the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography,¹¹ and invites all States to sign and ratify it as a matter of priority with a view to its entry into force as soon as possible, bearing in mind the convening of the special session of the General Assembly for follow-up to the World Summit for Children in September 2001;

6. *Reaffirms* the obligation of States parties to prevent the abduction of, the sale of or the trafficking in children for any purpose or in any form and to protect children from all forms of sexual exploitation and abuse, in accordance with articles 35 and 34 of the Convention;

7. *Calls upon* States to criminalize and to penalize effectively all forms of sexual exploitation and abuse of children, including within the family or for commercial purposes, paedophilia, child pornography and child prostitution, including child sex tourism, while ensuring that the children victims of such practices are not criminalized or penalized, and to take effective measures to ensure the prosecution of offenders, whether local or foreign, by the competent national authorities, either in the country of origin of the offender or in the country of destination, in accordance with due process of law;

8. *Calls upon* all States Members to take all necessary steps to strengthen international cooperation by multilateral, regional and bilateral arrangements for the prevention, detection, investigation, prosecution and punishment of those

¹⁰ A/55/297.

¹¹ Resolution 54/263, annex II.

responsible for acts involving the sale of children, child prostitution, child pornography and child sex tourism, and in this regard calls upon Member States to promote international cooperation and coordination among their authorities, national and international non-governmental organizations and international organizations as appropriate;

9. *Requests* States to increase cooperation and concerted action at the national, regional and international levels to prevent and dismantle networks trafficking in children;

10. *Stresses* the need to combat the existence of a market that encourages such criminal practices against children, including through preventive and enforcement measures targeting customers or individuals who sexually exploit or abuse children;

11. *Calls upon* States to enact and enforce, review and revise, as appropriate, laws and to implement policies, programmes and practices to protect children from and to eliminate all forms of sexual exploitation and abuse, including commercial sexual exploitation, taking into account the particular problems posed by the use of the Internet in this regard;

12. *Encourages* Governments to facilitate the active participation of child victims of sexual exploitation and abuse in the development and implementation of strategies to protect children from sexual exploitation and abuse;

13. *Encourages* continued regional and interregional efforts, with the objective of identifying best practices and issues requiring particularly urgent action, and takes note of the convening of the Second World Congress against Commercial Sexual Exploitation of Children in Yokohama, Japan, from 17 to 20 December 2001, to be hosted by the Government of Japan in cooperation with the United Nations Children's Fund, and which aims at reviewing progress in implementing the Declaration and Agenda for Action adopted by the First World Congress against Commercial Sexual Exploitation of Children, held at Stockholm from 27 to 31 August 1996;¹²

14. *Invites* States and relevant United Nations bodies and agencies to allocate appropriate resources for the rehabilitation of child victims of sexual exploitation and abuse and to take all appropriate measures to promote their full recovery and social reintegration;

V. Protection of children affected by armed conflict

1. *Welcomes* the report of the Special Representative of the Secretary-General for Children and Armed Conflict,¹³ and takes note of the report of the Secretary-General on children and armed conflict;¹⁴

2. *Expresses its support* for the work of the Special Representative in the fulfilment of his mandate, as established in paragraphs 35 to 37 of General Assembly resolution 51/77 of 12 December 1996, in particular in raising worldwide awareness and mobilizing official and public opinion for the protection of children

¹² A/51/385, annex.

¹³ A/55/442.

¹⁴ A/55/163-S/2000/712.

affected by armed conflict, in order to promote respect for the rights and needs of children in conflict and post-conflict situations;

3. *Calls upon* the Secretary-General and all relevant parts of the United Nations system, including the Special Representative and the United Nations Children's Fund, to further intensify cooperation, within their respective mandates, in their efforts to continue developing a concerted approach to the rights, protection and welfare of children affected by armed conflict, including, as appropriate, in the preparations for the field visits of the Special Representative and in the follow-up to such visits;

4. *Calls upon* all States and other parties concerned to continue to cooperate with the Special Representative and other relevant parts of the United Nations system, in particular the United Nations Children's Fund, the Office of the United Nations High Commissioner for Refugees, the Office of the United Nations High Commissioner for Human Rights and the World Health Organization, as appropriate and within their respective mandates, to implement the commitments they have undertaken and to consider carefully all the recommendations of the Special Representative and address the issues identified;

5. *Welcomes* the continued support for and voluntary contributions to the work of the Special Representative;

6. *Welcomes* the large number of signatories to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict,¹⁵ and invites all States to sign and ratify it as a matter of priority with a view to its entry into force as soon as possible, bearing in mind the convening of the special session of the General Assembly for follow-up to the World Summit for Children in September 2001;

7. *Urges* all States and other parties to armed conflict to respect international humanitarian law and to put an end to any form of targeting of children and to attacking sites that usually have a significant presence of children, calls upon States parties to respect fully the provisions of the Geneva Conventions of 12 August 1949¹⁶ and the Additional Protocols thereto, of 1977,¹⁷ and calls upon all parties to armed conflict to take all measures required to protect children from acts constituting violations of international humanitarian law, including prosecution by States, within their national legal framework, of those responsible for such violations;

8. *Recognizes*, in this regard, the contribution of the establishment of the International Criminal Court to ending impunity for perpetrators of certain crimes committed against children, as defined in the Statute of the Court,¹⁸ which include those involving sexual violence or child soldiers, and thus to the prevention of such crimes, and calls upon States to consider signing and ratifying the Statute;

9. *Stresses* the importance that all relevant United Nations actors in the field improve their reporting, within their respective mandates, concerning the situation of children affected by armed conflict and give additional attention to this question;

¹⁵ Resolution 54/263, annex I.

¹⁶ United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

¹⁷ Ibid, vol. 1125, Nos. 17512 and 17513.

¹⁸ See A/CONF.183/9, art. 8.

10. *Condemns* the abduction of children in situations of armed conflict and into armed conflict, urges States, international organizations and other concerned parties to take all appropriate measures to secure the unconditional release of all abducted children, and urges States to bring the perpetrators to justice;

11. *Urges* States and all other parties to armed conflict to end the use of children as soldiers, to ensure their demobilization and effective disarmament and to implement effective measures for their rehabilitation, physical and psychological recovery and reintegration into society, further encourages efforts by regional organizations, intergovernmental organizations and non-governmental organizations to bring an end to the use of children as soldiers in armed conflict, and emphasizes that no support that enables or contributes to the use of child soldiers should be given to those who use child soldiers;

12. *Underlines* the importance of including measures to ensure the rights of the child, including in the areas of health and nutrition, formal, informal or non-formal education, physical and psychological recovery and social reintegration, in emergency and other humanitarian assistance policies and programmes;

13. *Notes* the importance of the third open debate held in the Security Council, on 26 July 2000, on children and armed conflict and the undertaking by the Council to give special attention to the protection, welfare and rights of children when taking action aimed at maintaining peace and security, and reaffirms the essential role of the General Assembly and the Economic and Social Council in the promotion and protection of the rights and welfare of children;

14. *Calls upon* all parties to armed conflict to ensure the full, safe and unhindered access of humanitarian personnel and the delivery of humanitarian assistance to all children affected by armed conflict;

15. *Welcomes* the decision of the Economic and Social Council to call for systematic, concerted and comprehensive inter-agency efforts on behalf of children, as well as adequate and sustainable resource allocation, to provide both immediate emergency assistance to and long-term measures for children throughout all the phases of an emergency;¹⁹

16. *Urges* States to implement effective measures for the rehabilitation, physical and psychological recovery and reintegration into society of all child victims in cases of armed conflict, invites the international community to assist in this endeavour, and further emphasizes the importance of giving systematic consideration to the special needs and particular vulnerability of girls during conflicts and in post-conflict situations;

17. *Calls upon* States and relevant United Nations bodies to continue to support national and international mine action efforts, including through financial contributions, mine awareness programmes, victim assistance and child-centred rehabilitation, and welcomes the positive effects on children of concrete legislative measures with respect to anti-personnel mines;

18. *Notes with concern* the impact of small arms and light weapons on children in situations of armed conflict, in particular as a result of their illicit

¹⁹ See *Official Records of the General Assembly, Fifty-fourth Session, Supplement No. 3* (A/54/3/Rev.1), chap. VI, agreed conclusions 1999/1, para. 22.

production and traffic, and calls upon States to address this problem, *inter alia*, during the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, to be held in 2001;

19. *Recommends* that, whenever sanctions are imposed, their impact on children be assessed and monitored and that humanitarian exemptions be child-focused and formulated with clear guidelines for their application;

20. *Calls upon* States, relevant United Nations bodies and agencies and regional organizations to integrate the rights of the child into all activities in conflict and post-conflict situations, including training programmes and emergency relief operations, country programmes and field operations aimed at promoting peace and preventing and resolving conflict, as well as negotiating and implementing peace agreements, and, given the long-term consequences for society, underlines the importance of including specific provisions for children, including resourcing, in peace agreements and in arrangements negotiated by parties;

21. *Calls upon* Member States, the United Nations system and non-governmental organizations to encourage the involvement of youth in activities for the protection of children affected by armed conflict, including programmes for reconciliation, peace consolidation, peace-building and children-to-children networks;

22. *Welcomes* the holding of the International Conference on War-Affected Children at Winnipeg, Canada, from 10 to 17 September 2000,²⁰ and efforts by regional organizations, in particular the Organization for Security and Cooperation in Europe, the European Union, the Economic Community of West African States, the Organization of American States and the Organization of African Unity, to prominently include the rights and protection of children affected by armed conflict in their policies and programmes;

VI. Progressive elimination of child labour

1. *Reaffirms* the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education or to be harmful to the child's health or physical, mental, spiritual, moral or social development;

2. *Welcomes* the adoption by the International Labour Organization, at the eighty-seventh session of the International Labour Conference, held at Geneva from 1 to 17 June 1999, of the Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, Convention No. 182, and calls upon all States to consider ratifying it as a matter of priority, with a view to its entry into force as soon as possible;

3. *Calls upon* all States that have not yet done so to consider ratifying the conventions of the International Labour Organization relating to child labour, in particular the Convention concerning Forced or Compulsory Labour, 1930, Convention No. 29, and the Convention concerning Minimum Age for Admission to Employment, 1973, Convention No. 138, and to implement those Conventions;

²⁰ See A/55/467-S/2000/973.

4. *Calls upon* all States to translate into concrete, time-bound action their commitment to the progressive and effective elimination of child labour contrary to accepted international standards, and urges them to eliminate immediately the worst forms of child labour as set out in International Labour Organization Convention No. 182;

5. *Also calls upon* all States to assess and examine systematically the magnitude, nature and causes of child labour and to elaborate and implement strategies for the elimination of child labour contrary to accepted international standards, giving special attention to specific dangers faced by girls, as well as to the rehabilitation and social reintegration of the children concerned;

6. *Recognizes* that primary education is one of the main instruments for reintegrating child workers, calls upon all States to recognize the right to education by making primary education compulsory and to ensure that all children have equal access to free primary education as a key strategy to prevent child labour, and recognizes, in particular, the important role of the United Nations Educational, Scientific and Cultural Organization and the United Nations Children's Fund in this regard;

7. *Calls upon* all States and the United Nations system to strengthen international cooperation as a means of assisting Governments in preventing or combating violations of the rights of the child and in attaining the objective of eliminating child labour contrary to accepted international standards;

8. *Calls upon* all States to strengthen cooperation and coordination at the national and international levels to address effectively the problem of child labour, in close cooperation with, inter alia, the International Labour Organization and the United Nations Children's Fund;

VII

Decides:

(a) To request the Secretary-General to submit to the General Assembly at its fifty-sixth session a report on the rights of the child containing information on the status of the Convention on the Rights of the Child² and the problems addressed in the present resolution;

(b) To request the Special Representative of the Secretary-General for Children and Armed Conflict to submit to the General Assembly and the Commission on Human Rights reports containing relevant information on the situation of children affected by armed conflict, bearing in mind existing mandates and reports of relevant bodies;

(c) To continue its consideration of this question at its fifty-sixth session under the item entitled "Promotion and protection of the rights of the child".



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Agenda item 110

Promotion and protection of the rights of children

Andorra, Armenia, Australia, Austria, Bangladesh, Belgium, Belize,* Bosnia and Herzegovina, Bulgaria, Canada, Cape Verde, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Gambia, Germany, Greece, Guinea, Hungary, Iceland, Iraq, Ireland, Italy, Japan, Kyrgyzstan, Latvia, Liberia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Namibia, Netherlands, New Zealand, Norway, Philippines, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Slovakia, Slovenia, South Africa, Spain, Sudan, Sweden, Thailand, the former Yugoslav Republic of Macedonia, Tunisia, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uzbekistan and Zimbabwe: revised draft resolution

The rights of the child

The General Assembly,

Recalling its resolutions 54/148 and 54/149 of 17 December 1999, and taking note of Commission on Human Rights resolution 2000/85 of 27 April 2000,¹

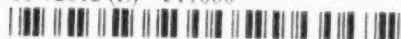
Bearing in mind the Convention on the Rights of the Child,² emphasizing that the provisions of the Convention and other relevant human rights instruments must constitute the standard in the promotion and protection of the rights of the child, and reaffirming that the best interest of the child shall be the primary consideration in all actions concerning children,

Reaffirming the World Declaration on the Survival, Protection and Development of Children and the Plan of Action for Implementing the World Declaration on the Survival, Protection and Development of Children in the 1990s adopted by the World Summit for Children, held in New York on 29 and 30

* On behalf of the States Members of the United Nations that are members of the Group of Latin American and Caribbean States.

¹ See *Official Records of the Economic and Social Council, 2000, Supplement No. 3 (E/2000/23)*, chap. II, sect. A.

² Resolution 44/25, annex.



September 1990,³ and the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights held at Vienna from 14 to 25 June 1993,⁴ which, inter alia, states that national and international mechanisms and programmes for the defence and protection of children, in particular those in especially difficult circumstances, should be strengthened, including through effective measures to combat exploitation and abuse of children, such as female infanticide, harmful child labour, sale of children and organs, child prostitution and child pornography, and which reaffirms that all human rights and fundamental freedoms are universal,

Recalling its resolution 54/93, by which it decided to convene a special session in September 2001 for follow-up to the World Summit for Children, and stressing the importance of addressing the rights and needs of the child in the preparatory process of the special session and the special session itself,

Profoundly concerned that the situation of girls and boys in many parts of the world remains critical as a result of the persistence of poverty, social inequality, inadequate social and economic conditions in an increasingly globalized world economy, pandemics, in particular human immunodeficiency virus/acquired immunodeficiency syndrome, natural disasters, armed conflict, displacement, exploitation, illiteracy, hunger, intolerance, discrimination and inadequate legal protection, and convinced that urgent and effective national and international action is called for,

Underlining the need for mainstreaming a gender perspective in all policies and programmes relating to children,

Recognizing the need for the realization of a standard of living adequate for the child's physical, mental, spiritual, moral and social development, the child's protection from torture and other cruel, inhuman or degrading treatment or punishment, the provision of universal and equal access to primary education and the implementation of the commitments on the education of children contained in the United Nations Millennium Declaration,⁵

Concerned at the number of illegal adoptions, of children growing up without parents and of child victims of family and social violence, neglect and abuse,

Welcoming the adoption of the optional protocols⁶ to the Convention on the Rights of the Child on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography,

Recognizing also that partnership between Governments, international organizations and all sectors of civil society, in particular non-governmental organizations, is important to realizing the rights of the child,

Stressing the importance of integrating child-related issues into the work of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance to be held in 2001, as well as in the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects and the special session of the General Assembly on the problem of human immunodeficiency virus/acquired immunodeficiency syndrome in all its aspects,

³ A/45/625, annex.

⁴ A/CONF.157/24 (Part I), chap. III.

⁵ Resolution 55/2, para. 19.

⁶ Resolution 54/263, annexes I and II.

I. Implementation of the Convention on the Rights of the Child

1. *Once again urges* the States that have not yet done so to sign and ratify or accede to the Convention on the Rights of the Child² as a matter of priority, with a view to reaching the goal of universal adherence as soon as possible;

2. *Invites* States to consider signing and ratifying the optional protocols to the Convention as a matter of priority so that they can enter into force as soon as possible, bearing in mind the convening of the special session of the General Assembly for follow-up to the World Summit for Children in September 2001;

3. *Reiterates its concern* at the great number of reservations to the Convention, and urges States parties to withdraw reservations incompatible with the object and purpose of the Convention and to review regularly any reservations with a view to withdrawing them;

4. *Calls upon* States parties to implement fully the Convention, stresses that the implementation of the Convention contributes to the achievement of the goals of the World Summit for Children, and recommends that a thorough assessment of ten years of implementation of the Convention be an essential element in the preparation of the special session for follow-up to the Summit;

5. *Urges* States to assure the child who is capable of forming his or her own views the right to express those views freely in all matters affecting him or her, the views being given due weight in accordance with the age and maturity of the child, and in this regard to involve children and youth in their efforts to implement the goals of the World Summit for Children and the Convention, as well as in other programmes relating to children and youth, as appropriate;

6. *Calls upon* States parties to cooperate closely with the Committee on the Rights of the Child and to comply in a timely manner with their reporting obligations under the Convention, in accordance with the guidelines elaborated by the Committee, and encourages States parties to take into account the recommendations made by the Committee in the implementation of the provisions of the Convention;

7. *Requests* the Secretary-General to ensure the provision of appropriate staff and facilities for the effective and expeditious performance of the functions of the Committee, notes the temporary support given by the plan of action of the United Nations High Commissioner for Human Rights to strengthen the important role of the Committee in advancing the implementation of the Convention, and also requests the Secretary-General to make available information on the follow-up to the plan of action;

8. *Calls upon* States parties urgently to take appropriate measures so that acceptance of the amendment to paragraph 2 of article 43 of the Convention by a two-thirds majority of States parties can be reached as soon as possible, in order for the amendment to enter into force, increasing the membership of the Committee from ten to eighteen experts, bearing in mind, inter alia, the additional workload of the Committee when the two optional protocols to the Convention enter into force;

9. *Invites* the Committee to continue to enhance its constructive dialogue with the States parties and its transparent and effective functioning;

10. *Recommends* that, within their mandates, all relevant human rights mechanisms and all other relevant organs and mechanisms of the United Nations system and the supervisory bodies of the specialized agencies pay attention to particular situations in which children are in danger and in which their rights are violated and that they take into account the work of the Committee, and encourages the further development of the rights-based approach adopted by the United Nations Children's Fund and further steps to increase system-wide coordination and inter-agency cooperation for the promotion and protection of the rights of the child;

11. *Encourages* the Committee, in monitoring the implementation of the Convention, to continue to pay attention to the needs of children in especially difficult circumstances;

12. *Urges* all States to assign priority to activities and programmes aimed at preventing the abuse of narcotic drugs, psychotropic substances and inhalants as well as preventing other addictions, in particular addiction to alcohol and tobacco, among children and youth, especially those in vulnerable situations, and urges all States to counter the use of children and youth in the illicit production and trafficking of narcotic drugs and psychotropic substances;

13. *Reaffirms* the importance of ensuring adequate and systematic training in the rights of the child for professional groups working with and for children, including specialized judges, law enforcement officials, lawyers, social workers, medical doctors, health professionals and teachers, and coordination between various governmental bodies involved in children's rights, and encourages States, relevant bodies and organizations of the United Nations system to continue to promote education and training in this regard;

14. *Encourages* Governments and relevant United Nations bodies, as well as relevant non-governmental organizations and child rights advocates, to contribute, as appropriate, to the web-based database launched by the United Nations Children's Fund so as to continue the provision of information on laws, structures, policies and processes adopted at the national level to translate the Convention into practice, and in this regard commends the United Nations Children's Fund for its work to disseminate lessons learned in the implementation of the Convention;

II. Protection and promotion of the rights of children

Identity, family relations and birth registration

1. *Calls upon* all States to intensify efforts to ensure the registration of all children immediately after birth, including through the consideration of simplified, expeditious and effective procedures;

2. *Also calls upon* all States to undertake to respect the right of the child to preserve his or her identity, including nationality, name and family relations as recognized by law without unlawful interference and, where a child is illegally deprived of some or all of the elements of his or her identity, to provide appropriate assistance and protection with a view to re-establishing speedily his or her identity;

3. *Urges* all States to ensure, as far as possible, the right of the child to know and be cared for by his or her parents;

4. *Also urges* all States to ensure that a child shall not be separated from his or her parents against their will, except when the competent authorities, subject to judicial review, determine, in accordance with applicable law and procedures, that such separation is necessary for the best interest of the child and, where alternative care is necessary, to promote family and community-based care in preference to placement in institutions, recognizing that such determination may be necessary in a particular case, such as one involving abuse or neglect of the child by the parents, or one where the parents are living separately and a decision must be made as to the child's place of residence;

5. *Calls upon* States to take all necessary measures to ensure that the best interest of the child is the primary consideration in child adoptions and to take all necessary measures to prevent and combat illegal adoptions of children and adoptions which do not follow the normal procedures;

6. *Calls upon* States to take all necessary measures to address the problem of children growing up without parents, particularly orphan children and children victims of family and social violence, neglect and abuse;

Health

7. *Calls upon* all States and relevant bodies and organizations of the United Nations system, in particular the World Health Organization and the United Nations Children's Fund, to pay particular attention to the development of sustainable health systems and social services to ensure the effective prevention of diseases, malnutrition, disabilities and infant and child mortality, including through prenatal and post-natal health care, as well as the provision of necessary medical treatment and health care to all children, taking into consideration the special needs of young children and of girls, including prevention of common infectious diseases, the special needs of adolescents, including those relating to reproductive and sexual health and threats from substance abuse and violence, and the particular needs of children living in poverty, children in situations of armed conflict and children in other vulnerable groups, and to strengthen ways of empowering families and communities;

8. *Calls upon* all States to adopt all necessary measures to ensure the full and equal enjoyment of all human rights and fundamental freedoms by children affected by disease and malnutrition, including protection from all forms of discrimination, abuse or neglect, in particular in the access to and provision of health care;

9. *Welcomes* the attention given by the Committee on the Rights of the Child to the realization of the highest attainable standards of health and access to health care and to the rights of children affected by human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS);

10. *Urges* States to give particular emphasis to the prevention of HIV infection in young children and strengthen efforts to prevent adolescents and women from becoming HIV-infected, inter alia, by including HIV/AIDS prevention in educational curricula and educational programmes consistent with the epidemiology of the diseases in each State, and by supporting wide-scale voluntary HIV testing and counselling programmes for pregnant women, together with services for HIV-

infected pregnant women to reduce the risk of transmitting the virus from HIV/AIDS-infected pregnant women to their children;

11. *Urges* all States to take all necessary measures to protect children infected and/or affected by HIV/AIDS from all forms of discrimination, stigma, abuse and neglect, in particular in the access to and provision of health, education and social services, with a view to the realization of their rights;

12. *Calls upon* the international community, relevant United Nations agencies, funds and programmes and intergovernmental and non-governmental organizations to intensify their support of national efforts against HIV/AIDS aimed at providing assistance to children infected or affected by the epidemic, including those orphaned as a result of the HIV/AIDS pandemic, focusing in particular on the worst-hit regions of Africa and areas where the epidemic is severely setting back national development gains, calls upon them also to give importance to the treatment, care and support of children infected with HIV/AIDS, and invites them to consider further involving the private sector;

Education

13. *Calls upon* States to recognize the right to education on the basis of equal opportunity by making primary education compulsory and ensuring that all children have access to free and relevant primary education, as well as making secondary education generally available and accessible to all, and in particular by the progressive introduction of free education;

14. *Reaffirms* the Dakar Framework for Action and calls for its full implementation and in this regard invites the United Nations Educational, Scientific and Cultural Organization to continue implementing its mandated role in coordinating Education for All partners and maintaining their collaborative momentum;

15. *Calls upon* all States to eliminate the gender gap in education, reaffirms the commitment contained in the United Nations Millennium Declaration⁵ to ensure equal access for girls and boys to all levels of education and the completion of a full course of primary schooling by children everywhere, boys and girls alike, by 2015, and in this regard encourages the implementation of the girls' education initiative launched by the Secretary-General at the World Education Forum held at Dakar from 26 to 28 April 2000;

16. *Calls upon* States to ensure that emphasis is given to the qualitative aspects of education, that the education of the child is carried out, that States parties develop and implement programmes for the education of the child, in accordance with articles 28 and 29 of the Convention on the Rights of the Child, and that education is directed, inter alia, to the development of respect for human rights and fundamental freedoms and to the preparation of the child for a responsible life in a free society in a spirit of understanding, peace, tolerance, gender equality and friendship among peoples, ethnic, national and religious groups and persons of indigenous origin, and to ensure that children, from an early age, benefit from education on values, attitudes, modes of behaviour and ways of life to enable them to resolve any dispute peacefully and in a spirit of respect for human dignity and of

tolerance and non-discrimination, bearing in mind the Declaration and Programme of Action on a Culture of Peace;⁷

17. *Calls upon* all States to take all appropriate measures to prevent racist, discriminatory and xenophobic attitudes and behaviour, through education, keeping in mind the important role that children have to play in changing such practices;

18. *Calls upon* all States to remove educational disparities and make education accessible to children living in poverty, children living in remote areas, children with special educational needs, children affected by armed conflict and children requiring special protection, including refugee children, migrant children, street children, children deprived of their liberty, indigenous children and children belonging to minorities;

19. *Calls upon* States, educational institutions and the United Nations system, in particular the United Nations Children's Fund, the United Nations Development Fund for Women and the United Nations Educational, Scientific and Cultural Organization, to develop and implement gender-sensitive strategies to address the particular needs of the girl child in education;

Freedom from violence

20. *Reaffirms* the obligation of States to protect children from torture and other cruel, inhuman or degrading treatment or punishment;

21. *Calls upon* States to take all appropriate measures to prevent and protect children from all forms of violence, including physical, mental and sexual violence, torture, child abuse, and abuse by police, other law enforcement authorities and employees, and officials in detention centres or welfare institutions, including orphanages, and domestic violence;

22. *Calls upon* States to investigate and submit cases of torture and other forms of violence against children to the competent authorities for the purpose of prosecution and to impose appropriate disciplinary or penal sanctions against those responsible for such practices;

23. *Requests* all relevant human rights mechanisms, in particular special rapporteurs and working groups, within their mandates, to pay attention to the special situations of violence against children, reflecting their experiences in the field;

24. *Takes note* of the general discussion on State violence against children held by the Committee on the Rights of the Child on 22 September 2000,⁸ as well as its recommendations to undertake a comprehensive study on the issue of violence against children, exploring its different forms and identifying its causes, its extent and its impact on children, and welcomes the forthcoming general discussion on violence suffered by children in schools and within the family to be held in September 2001;

⁷ Resolution 53/243.

⁸ See CRC/C/SR.649 and 650.

III. Promotion and protection of the rights of children in particularly vulnerable situations and non-discrimination against children

Plight of children working and/or living on the streets

1. *Calls upon* Governments to seek comprehensive solutions to the problems causing children to work and/or live on the streets and to implement appropriate programmes and policies for the protection and the rehabilitation and reintegration of those children, bearing in mind that such children are particularly vulnerable to all forms of violence, abuse, exploitation and neglect;
2. *Calls upon* all States to ensure that basic social services, notably education, are provided for children to divert them from and to address the economic imperatives for involvement in harmful, exploitative and abusive activity;
3. *Strongly urges* all Governments to guarantee respect for all human rights and fundamental freedoms, in particular the right to life, to take urgent and effective measures to prevent the killing of children working and/or living on the streets, to combat torture and abusive treatment and violence against them and to bring the perpetrators to justice;
4. *Calls upon* all States to take the situation of children working and/or living on the streets into account when preparing reports to the Committee on the Rights of the Child, and encourages the Committee and other relevant bodies and organizations of the United Nations system, within their existing mandates, to increase attention to the question of children working and/or living on the streets;
5. *Calls upon* the international community to support, through effective international cooperation, including technical advice and assistance, the efforts of States to improve the situation of children working and/or living on the streets;

Refugee and internally displaced children

6. *Urges* Governments to improve the implementation of policies and programmes for the protection, care and well-being of refugee and internally displaced children and for the provision of basic social services, including access to education, with the necessary international cooperation, in particular with the Office of the United Nations High Commissioner for Refugees, the United Nations Children's Fund and the Representative of the Secretary-General on internally displaced persons, in accordance with the obligations of States under the Convention on the Rights of the Child;
7. *Calls upon* all States and other parties to armed conflict, as well as United Nations bodies and organizations, to give urgent attention, in terms of protection and assistance, to the fact that refugee and internally displaced children are particularly exposed to risks in connection with armed conflict, such as being forcibly recruited or subjected to sexual violence, abuse or exploitation;
8. *Expresses its deep concern* about the growing number of unaccompanied and/or separated refugee and internally displaced children, and calls upon all States and United Nations bodies and agencies and other relevant organizations to give priority to programmes for family tracing and reunification and to continue to monitor the care arrangements for unaccompanied and/or separated refugee and internally displaced children;

Children with disabilities

9. *Encourages* the working group on the rights of children with disabilities established following the decision of the Committee on the Rights of the Child to put into practice as soon as possible the recommendations arising from the day of general discussion on the rights of children with disabilities held on 6 October 1997,⁹ including the drafting of a plan of action on children with disabilities, in close cooperation with the Special Rapporteur on Disability of the Commission for Social Development and other relevant parts of the United Nations system;

10. *Calls upon* all States to take all necessary measures to ensure the full and equal enjoyment of all human rights and fundamental freedoms by children with disabilities, and to develop and enforce legislation against their discrimination to ensure dignity, promote self-reliance and facilitate the child's active participation in the community, including effective access to education and health services;

Migrant children

11. *Calls upon* States to protect all human rights of migrant children, in particular unaccompanied migrant children, and to ensure that the best interest of the child shall accordingly be a primary consideration, and encourages the Committee on the Rights of the Child, the United Nations Children's Fund and other relevant United Nations bodies, within their respective mandates, to pay particular attention to the conditions of migrant children in all States and, as appropriate, to make recommendations to strengthen their protection;

12. *Also calls upon* States to cooperate fully with and to assist the Special Rapporteur on the human rights of migrants, in order to address the particularly vulnerable conditions of migrant children;

IV. Prevention and eradication of the sale of children and of their sexual exploitation and abuse, including child prostitution and child pornography

1. *Welcomes* the interim report of the Special Rapporteur of the Commission on Human Rights on the sale of children, child prostitution and child pornography, and expresses its support for her work;¹⁰

2. *Requests* the Secretary-General to provide the Special Rapporteur with all necessary human and financial assistance to enable her to discharge her mandate fully;

3. *Calls upon* States to continue to cooperate with the Special Rapporteur and to give full consideration to all her recommendations;

4. *Invites* further voluntary contributions through the Office of the United Nations High Commissioner for Human Rights and support for the work of the Special Rapporteur for the effective fulfilment of her mandate;

5. *Welcomes* the large number of signatories to the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and

⁹ See *Official Records of the General Assembly, Fifty-third Session, Supplement No. 41 (A/53/41)*, paras. 1399-1428, and *ibid.*, *Fifty-fifth Session, Supplement No. 41 (A/55/41)*, paras. 1501-1506.

¹⁰ A/55/297.

child pornography,¹¹ and calls upon all States to consider signing and ratifying it as a matter of priority with a view to its entry into force as soon as possible, bearing in mind the convening of the special session of the General Assembly for follow-up to the World Summit for Children in September 2001;

6. *Reaffirms* the obligation of States parties to prevent the abduction of, the sale of or the trafficking in children for any purpose or in any form, including the transfer of the organs of the child for profit and to protect children from all forms of sexual exploitation and abuse, in accordance with articles 35 and 34 of the Convention;

7. *Calls upon* States to take all appropriate steps to combat the misuse of new information and communication technologies, including the Internet, for trafficking in children and for purposes of all forms of sexual exploitation and abuse, in particular the sale of children, child prostitution and child pornography, and notes that the use of such technologies can also contribute to preventing and eradicating such phenomenon;

8. *Calls upon* States to criminalize and to penalize effectively all forms of sexual exploitation and abuse of children, including within the family or for commercial purposes, paedophilia, child pornography and child prostitution, including child sex tourism, while ensuring that the children victims of such practices are not penalized, and to take effective measures to ensure the prosecution of offenders, whether local or foreign, by the competent national authorities, either in the country of origin of the offender or in the country where the abuse takes place, in accordance with due process of law;

9. *Calls upon* all States Members to take all necessary steps to strengthen international cooperation by multilateral, regional and bilateral arrangements for the prevention, detection, investigation, prosecution and punishment of those responsible for acts involving the sale of children, child prostitution, child pornography and child sex tourism, and in this regard calls upon Member States to promote international cooperation and coordination among their authorities, national and international non-governmental organizations and international organizations, as appropriate;

10. *Requests* States to increase cooperation and concerted action at the national, regional and international levels to prevent and dismantle networks trafficking in children;

11. *Stresses* the need to combat the existence of a market that encourages such criminal practices against children, including through preventive and enforcement measures targeting customers or individuals who sexually exploit or abuse children;

12. *Calls upon* States to enact and enforce, review and revise, as appropriate, laws and to implement policies, programmes and practices to protect children from and to eliminate all forms of sexual exploitation and abuse, including commercial sexual exploitation, taking into account the particular problems posed by the use of the Internet in this regard;

¹¹ Resolution 54/263, annex II.

13. *Encourages* Governments to facilitate the active participation of child victims of sexual exploitation and abuse in the development and implementation of strategies to protect children from sexual exploitation and abuse;

14. *Encourages* continued regional and interregional efforts, with the objective of identifying best practices and issues requiring particularly urgent action, and takes note of the convening of the Second World Congress against Commercial Sexual Exploitation of Children in Yokohama, Japan, from 17 to 20 December 2001, to be hosted by the Government of Japan in cooperation with the United Nations Children's Fund, which aims at reviewing progress in implementing the Declaration and Agenda for Action adopted by the First World Congress against Commercial Sexual Exploitation of Children, held at Stockholm from 27 to 31 August 1996;¹²

15. *Invites* States and relevant United Nations bodies and agencies to allocate appropriate resources for the rehabilitation of child victims of sexual exploitation and abuse and to take all appropriate measures to promote their full recovery and social reintegration;

V. Protection of children affected by armed conflict

1. *Welcomes* the report of the Special Representative of the Secretary-General for Children and Armed Conflict,¹³ and takes note of the report of the Secretary-General on children and armed conflict;¹⁴

2. *Expresses its support* for the work of the Special Representative in the fulfilment of his mandate, as established in paragraphs 35 to 37 of General Assembly resolution 51/77 of 12 December 1996, in particular in raising worldwide awareness and mobilizing official and public opinion for the protection of children affected by armed conflict, in order to promote respect for the rights and needs of children in conflict and post-conflict situations;

3. *Calls upon* the Secretary-General and all relevant parts of the United Nations system, including the Special Representative and the United Nations Children's Fund, to further intensify their efforts to continue developing a concerted approach to the rights, protection and welfare of children affected by armed conflict, including, as appropriate, in the preparations for the field visits of the Special Representative and in the follow-up to such visits;

4. *Calls upon* all States and other parties concerned to continue to cooperate with the Special Representative to implement the commitments they have undertaken and to consider carefully all the recommendations of the Special Representative and address the issues identified;

5. *Welcomes* the continued support for and voluntary contributions to the work of the Special Representative in the fulfilment of his mandate;

6. *Welcomes* the large number of signatories to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict,¹⁵ and calls upon all States to consider signing and ratifying it as a matter of

¹² A/51/385, annex.

¹³ A/55/442.

¹⁴ A/55/163-S/2000/712.

¹⁵ Resolution 54/263, annex I.

priority with a view to its entry into force as soon as possible, bearing in mind the convening of the special session of the General Assembly for follow-up to the World Summit for Children in September 2001;

7. *Urges* all States and other parties to armed conflict to respect international humanitarian law and to put an end to any form of targeting of children and to attacking sites that usually have a significant presence of children, calls upon States parties to respect fully the provisions of the Geneva Conventions of 12 August 1949¹⁶ and the Additional Protocols thereto, of 1977,¹⁷ and calls upon all parties to armed conflict to take all measures required to protect children from acts constituting violations of international humanitarian law, including prosecution by States, within their national legal framework, of those responsible for such violations;

8. *Recognizes*, in this regard, the contribution of the establishment of the International Criminal Court to ending impunity for perpetrators of certain crimes committed against children, as defined in the Statute of the Court,¹⁸ which include those involving sexual violence or child soldiers, and thus to the prevention of such crimes;

9. *Stresses* the importance that all relevant United Nations actors in the field improve their reporting, within their respective mandates, concerning the situation of children affected by armed conflict and give additional attention to this question;

10. *Condemns* the abduction of children in situations of armed conflict and into armed conflict, urges States, international organizations and other concerned parties to take all appropriate measures to secure the unconditional release, rehabilitation, reintegration and family reunification of all abducted children, and urges States to bring the perpetrators to justice;

11. *Calls upon* States to ensure that the adoption of children in situations of armed conflicts is guided by the Convention on the Rights of the Child and that the best interest of the child is always envisaged as a paramount consideration;

12. *Calls upon* States and all other parties to armed conflict to end the use of children as soldiers, to ensure their demobilization and effective disarmament and to implement effective measures for their rehabilitation, physical and psychological recovery and reintegration into society, further encourages efforts by, inter alia, regional organizations, intergovernmental organizations and non-governmental organizations to bring an end to the use of children as soldiers in armed conflict, and emphasizes that no support shall be given to those who systematically abuse or violate the rights of children during armed conflicts;

13. *Underlines* the importance of including measures to ensure the rights of the child, including in the areas of health and nutrition, formal, informal or non-formal education, physical and psychological recovery and social reintegration, in emergency and other humanitarian assistance policies and programmes;

14. *Notes* the importance of the third open debate held in the Security Council, on 26 July 2000, on children and armed conflict and the undertaking provided by the Council in its resolution 1261 (1999) to give special attention to the

¹⁶ United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

¹⁷ Ibid, vol. 1125, Nos. 17512 and 17513.

¹⁸ See A/CONF.183/9, art. 8.

protection, welfare and rights of children when taking action aimed at maintaining peace and security, and reaffirms the essential role of the General Assembly and the Economic and Social Council in the promotion and protection of the rights and welfare of children;

15. *Calls upon* all parties to armed conflict to ensure the full, safe and unhindered access of humanitarian personnel and the delivery of humanitarian assistance to all children affected by armed conflict;

16. *Welcomes* agreed conclusions 1999/1 of the Economic and Social Council, in which the Council, inter alia, calls for systematic, concerted and comprehensive inter-agency efforts on behalf of children, as well as adequate and sustainable resource allocation, to provide both immediate emergency assistance to and long-term measures for children throughout all the phases of an emergency;¹⁹

17. *Urges* States to implement effective measures for the rehabilitation, physical and psychological recovery and reintegration into society of all child victims in cases of armed conflict, invites the international community to assist in this endeavour, and further emphasizes the importance of giving systematic consideration to the special needs and particular vulnerability of the girl child during conflicts and in post-conflict situations;

18. *Calls upon* States and relevant United Nations bodies to continue to support national and international mine action efforts, including through financial contributions, mine awareness programmes, victim assistance and child-centred rehabilitation, and welcomes the positive effects on children of concrete legislative measures with respect to anti-personnel mines;

19. *Invites* States, multilateral donors and the private sector to cooperate and commit the resources necessary for the early development of new and more efficient mine detection and clearance technologies for assistance in mine action;

20. *Notes with concern* the impact of small arms and light weapons on children in situations of armed conflict, in particular as a result of their illicit production and traffic, and calls upon States to address this problem, inter alia, during the United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, to be held in 2001;

21. *Recommends* that, whenever sanctions are imposed, their impact on children be assessed and monitored and that humanitarian exemptions be child-focused and formulated with clear guidelines for their application;

22. *Calls upon* States, relevant United Nations bodies and agencies and regional organizations to integrate the rights of the child into all activities in conflict and post-conflict situations, including training programmes and emergency relief operations, country programmes and field operations aimed at promoting peace and preventing and resolving conflict, as well as negotiating and implementing peace agreements, and, given the long-term consequences for society, underlines the importance of including specific provisions for children, including resourcing, in peace agreements and in arrangements negotiated by parties;

¹⁹ See *Official Records of the General Assembly, Fifty-fourth Session, Supplement No. 3 (A/54/3/Rev.1)*, chap. VI, para. 22.

23. *Calls upon* all States, in accordance with the norms of international humanitarian law, to integrate in the training and gender-sensitized education programmes of their armed forces, including those for peacekeeping, instruction on responsibilities towards the civilian population, in particular women and children;

24. *Calls upon* Member States, the United Nations system and non-governmental organizations to encourage the involvement of youth in activities concerning the protection of children affected by armed conflict, including programmes for reconciliation, peace consolidation, peace-building and children-to-children networks;

25. *Welcomes* the holding of the International Conference on War-Affected Children at Winnipeg, Canada, from 10 to 17 September 2000,²⁰ and notes with appreciation the Winnipeg Agenda for War-Affected Children and efforts by regional organizations, in particular the Organization for Security and Cooperation in Europe, the European Union, the Economic Community of West African States, the Organization of American States and the Organization of African Unity, to prominently include the rights and protection of children affected by armed conflict in their policies and programmes;

VI. Progressive elimination of child labour

1. *Reaffirms* the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education or to be harmful to the child's health or physical, mental, spiritual, moral or social development;

2. *Welcomes* the adoption by the International Labour Organization, at the eighty-seventh session of the International Labour Conference, held at Geneva from 1 to 17 June 1999, of the Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, Convention No. 182, and calls upon all States to consider ratifying it;

3. *Calls upon* all States that have not yet done so to consider ratifying the conventions of the International Labour Organization relating to child labour, in particular the Convention concerning Forced or Compulsory Labour, 1930, Convention No. 29, and the Convention concerning Minimum Age for Admission to Employment, 1973, Convention No. 138, and to implement those Conventions;

4. *Calls upon* all States to translate into concrete action their commitment to the progressive and effective elimination of child labour contrary to accepted international standards, and urges them, inter alia, to eliminate immediately the worst forms of child labour as set out in the new International Labour Organization Convention No. 182;

5. *Also calls upon* all States to assess and examine systematically the magnitude, nature and causes of child labour and to elaborate and implement strategies for the elimination of child labour contrary to accepted international standards, giving special attention to specific dangers faced by girls, as well as to the rehabilitation and social reintegration of the children concerned;

²⁰ See A/55/467-S/2000/973.

6. *Recognizes* that primary education is one of the main instruments for reintegrating child workers, calls upon all States to recognize the right to education by making primary education compulsory and to ensure that all children have equal access to free primary education as a key strategy to prevent child labour, and recognizes, in particular, the important role of the United Nations Educational, Scientific and Cultural Organization and the United Nations Children's Fund in this regard;

7. *Calls upon* all States and the United Nations system to strengthen international cooperation as a means of assisting Governments in preventing or combating violations of the rights of the child and in attaining the objective of eliminating child labour contrary to accepted international standards;

8. *Calls upon* all States to strengthen cooperation and coordination at the national and international levels to address effectively the problem of child labour, in close cooperation with, inter alia, the International Labour Organization and the United Nations Children's Fund;

VII

Decides:

(a) To request the Secretary-General to submit to the General Assembly at its fifty-sixth session a report on the rights of the child containing information on the status of the Convention on the Rights of the Child² and the problems addressed in the present resolution;

(b) To request the Special Representative of the Secretary-General for Children and Armed Conflict to submit to the General Assembly and the Commission on Human Rights reports containing relevant information on the situation of children affected by armed conflict, bearing in mind existing mandates and reports of relevant bodies;

(c) To continue its consideration of this question at its fifty-sixth session under the item entitled "Promotion and protection of the rights of the child".



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Agenda item 111

**Programme of activities of the International Decade
of the World's Indigenous People**

Argentina, Australia, Belarus, Belgium, Belize, Brazil, Canada, Chile, Colombia, Croatia, Cyprus, Denmark, Ecuador, Estonia, Fiji, Finland, France, Greece, Guatemala, Guyana, Iceland, Latvia, Lithuania, Luxembourg, Mexico, Nepal, Netherlands, New Zealand, Norway, Panama, Peru, Portugal, Republic of Moldova, Spain, Sweden, United Kingdom of Great Britain and Northern Ireland, United States of America and Venezuela: draft resolution

International Decade of the World's Indigenous People

The General Assembly,

Recalling its resolution 54/150 of 17 December 1999 and previous resolutions on the International Decade of the World's Indigenous People,

Recalling also that the goal of the Decade is to strengthen international cooperation for the solution of problems faced by indigenous people in such areas as human rights, the environment, development, education and health and that the theme of the Decade is "Indigenous people: partnership in action",

Recognizing the importance of consultation and cooperation with indigenous people in planning and implementing the programme of activities for the International Decade of the World's Indigenous People,¹ the need for adequate financial support from the international community, including support from within the United Nations system, and the need for adequate coordination and communication channels,

Urging all parties to continue to intensify their efforts to achieve the goals of the Decade,

¹ Resolution 50/157, annex.



1. *Takes note* of the report of the Secretary-General on the implementation of the programme of activities for the International Decade of the World's Indigenous People;²

2. *Affirms its conviction* of the value and diversity of the cultures and forms of social organization of indigenous people and its conviction that the development of indigenous people within their countries will contribute to the socio-economic, cultural and environmental advancement of all the countries of the world;

3. *Emphasizes* the importance of strengthening the human and institutional capacity of indigenous people to develop their own solutions to their problems;

4. *Requests* the United Nations High Commissioner for Human Rights, as coordinator for the International Decade of the World's Indigenous People:

(a) To continue to promote the objectives of the Decade, taking into account, in the fulfilment of her functions, the special concerns of the indigenous people;

(b) To give due regard to the dissemination, from within existing resources and voluntary contributions, of information on the situation, cultures, languages, rights and aspirations of indigenous people and, in that context, to consider the possibility of organizing projects, special events, exhibitions and other activities addressed to the public, in particular to young people;

(c) To submit, through the Secretary-General, an annual report to the General Assembly on the implementation of the programme of activities for the Decade;

5. *Reaffirms* the adoption of a declaration on the rights of indigenous people as a major objective of the Decade, and underlines the importance of effective participation by indigenous representatives in the open-ended inter-sessional working group of the Commission on Human Rights charged with developing a draft declaration on the rights of indigenous people, established pursuant to Commission resolution 1995/32 of 3 March 1995;³

6. *Welcomes* the decision of the Economic and Social Council, in its resolution 2000/22 of 28 July 2000, to establish a Permanent Forum on Indigenous Issues as a subsidiary organ of the Council, thereby fulfilling an important objective of the Decade, and encourages all parties concerned to engage in the necessary preparations for the establishment of the Forum;

7. *Encourages* Governments to support the Decade by:

(a) Preparing relevant programmes, plans and reports in relation to the Decade, in consultation with indigenous people;

(b) Seeking means, in consultation with indigenous people, of giving indigenous people greater responsibility for their own affairs and an effective voice in decisions on matters that affect them;

(c) Establishing national committees or other mechanisms involving indigenous people to ensure that the objectives and activities of the Decade are planned and implemented on the basis of full partnership with indigenous people;

² A/55/268.

³ See *Official Records of the Economic and Social Council, 1995, Supplement No. 3 and corrigenda* (E/1995/23 and Corr.1 and 2), chap. II, sect. A.

(d) Contributing to the United Nations Trust Fund for the International Decade for the World's Indigenous People;

(e) Contributing, together with other donors, to the United Nations Voluntary Fund for Indigenous Populations in order to assist indigenous representatives in participating in the Working Group on Indigenous Populations of the Subcommission on the Promotion and Protection of Human Rights and the open-ended inter-sessional working group of the Commission on Human Rights charged with developing a draft declaration on the rights of indigenous people;

(f) Considering contributing, as appropriate, to the Fund for the Development of Indigenous Peoples in Latin America and the Caribbean, in support for the goals of the Decade;

(g) Identifying resources for activities designed to implement the goals of the Decade, in cooperation with indigenous people and intergovernmental and non-governmental organizations;

8. *Invites* United Nations financial and developmental institutions, operational programmes and the specialized agencies and secretariats, as well as other regional and international organizations, in accordance with the existing procedures of their governing bodies:

(a) To give increased priority and resources to improving the conditions of indigenous people, with particular emphasis on the needs of those people in developing countries, including through the preparation of specific programmes of action for the implementation of the goals of the Decade, within their areas of competence;

(b) To launch special projects, through appropriate channels and in cooperation with indigenous people, to strengthen their community-level initiatives and to facilitate the exchange of information and expertise among indigenous people and other relevant experts;

(c) To designate focal points for coordination of activities related to the Decade with the Office of the United Nations High Commissioner for Human Rights;

and commends those institutions, programmes, agencies and regional and international organizations that have already done so;

9. *Recommends* that the Secretary-General ensure coordinated follow-up to the recommendations concerning indigenous people of relevant United Nations conferences, namely, the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, the United Nations Conference on Environment and Development, held at Rio de Janeiro, Brazil, from 3 to 14 June 1992, the International Conference on Population and Development, held at Cairo from 5 to 13 September 1994, the Fourth World Conference on Women, held at Beijing from 4 to 15 September 1995, the World Summit for Social Development, held at Copenhagen from 6 to 12 March 1995, the second United Nations Conference on Human Settlements (Habitat II), held at Istanbul, Turkey, from 3 to 14 June 1996, and the World Food Summit, held at Rome from 13 to 17 November 1996, and other relevant international conferences;

10. *Emphasizes* the importance of the participation of indigenous people in United Nations world conferences and their national, regional and other preparatory processes, in particular the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, to be held in South Africa in 2001, and encourages Member States to facilitate the participation of their indigenous people, inter alia, by considering including representatives of indigenous people on their delegations;

11. *Requests* the United Nations High Commissioner for Human Rights to submit, through the Secretary-General, a report on the implementation of the programme of activities of the decade to the General Assembly at its fifty-sixth session;

12. *Decides* to include in the provisional agenda of its fifty-sixth session the item entitled "Programme of activities of the International Decade of the World's Indigenous People".

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Agenda item 112

Elimination of racism and racial discrimination**Decision contained in the report of the Committee on the Elimination of Racial Discrimination****Note by the Secretariat**

In its decision 1 (56) of 24 March 2000, the Committee on the Elimination of Racial Discrimination requested that its fifty-eighth session be held at United Nations Headquarters. The text of the decision is reproduced below for information.

Decision 1 (56)

The Committee on the Elimination of Racial Discrimination,

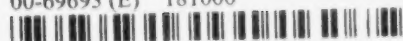
Recalling again that paragraph 4 of article 10 of the International Convention on the Elimination of All Forms of Racial Discrimination stipulates that the sessions of the Committee shall normally be held at United Nations Headquarters,

Reaffirming its decisions 8 (53) and 4 (55), in which it stated, in particular, that some States parties, especially developing countries in Africa, Asia and Latin America, maintain diplomatic missions in New York but not at Geneva, and that some of these States encounter financial and other difficulties in attending the meetings of the Committee when their reports are to be examined at Geneva,

Having examined the statement of the programme budget implications of decision 4 (55) submitted by the Secretary-General (A/54/18/Add.1) and having taken note of the decision of the General Assembly, in the light of that statement, to refer back to the Committee for further consideration its decision 4 (55),

Having taken note of the information provided to the Committee by the representative of the United Nations High Commissioner for Human Rights concerning the availability of conference servicing facilities for the holding of the fifty-eighth session of the Committee at United Nations Headquarters,

1. *Decides to request that its fifty-eighth session be held at United Nations Headquarters from 8 to 26 January 2001, in order to examine with priority the*



reports of the States parties which encounter difficulties in attending meetings of the Committee in Geneva;

2. *Requests* the General Assembly to take appropriate measures to implement the present decision.



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Agenda item 109

Report of the United Nations High Commissioner for
Refugees, questions relating to refugees, returnees
and displaced persons and humanitarian questions

Mexico: draft resolution

Enlargement of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees

The General Assembly,

Taking note of Economic and Social Council decision 2000/302 of 28 July 2000 concerning the enlargement of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees,

Taking note also of the request regarding the enlargement of the Executive Committee contained in the letter dated 11 July 2000 from the Permanent Representative of Mexico to the United Nations addressed to the Secretary-General,¹

1. *Decides* to increase the number of members of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees from fifty-seven to fifty-eight States;

2. *Requests* the Economic and Social Council to elect the additional member at its resumed organizational session for 2001.

¹ E/2000/92.



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Third Committee

Agenda item 113

Right of peoples to self-determination

Azerbaijan, Bangladesh, Brunei Darussalam, Chile, Costa Rica, Egypt, El Salvador, Eritrea, Iran (Islamic Republic of), Jordan, Kuwait, Libyan Arab Jamahiriya, Malaysia, Mali, Mauritania, Morocco, Oman, Pakistan, Qatar, Saint Lucia, Saudi Arabia, Singapore, Thailand, United Arab Emirates and Viet Nam: draft resolution

Universal realization of the right of peoples to self-determination

The General Assembly,

Reaffirming the importance, for the effective guarantee and observance of human rights, of the universal realization of the right of peoples to self-determination enshrined in the Charter of the United Nations and embodied in the International Covenants on Human Rights,¹ as well as in the Declaration on the Granting of Independence to Colonial Countries and Peoples contained in General Assembly resolution 1514 (XV) of 14 December 1960,

Welcoming the progressive exercise of the right to self-determination by peoples under colonial, foreign or alien occupation and their emergence into sovereign statehood and independence,

Deeply concerned at the continuation of acts or threats of foreign military intervention and occupation that are threatening to suppress, or have already suppressed, the right to self-determination of sovereign peoples and nations,

Expressing grave concern that, as a consequence of the persistence of such actions, millions of people have been and are being uprooted from their homes as refugees and displaced persons, and emphasizing the urgent need for concerted international action to alleviate their condition,

Recalling the relevant resolutions regarding the violation of the right of peoples to self-determination and other human rights as a result of foreign military

¹ Resolution 2200 A (XXI), annex.



intervention, aggression and occupation adopted by the Commission on Human Rights at its fifty-sixth² and previous sessions.

Reaffirming its previous resolutions on the universal realization of the right of peoples to self-determination, including resolution 54/155 of 17 December 1999,

Taking note of the report of the Secretary-General on the right of peoples to self-determination,³

1. *Reaffirms* that the universal realization of the right of all peoples, including those under colonial, foreign and alien domination, to self-determination is a fundamental condition for the effective guarantee and observance of human rights and for the preservation and promotion of such rights;

2. *Declares its firm opposition* to acts of foreign military intervention, aggression and occupation, since these have resulted in the suppression of the right of peoples to self-determination and other human rights in certain parts of the world;

3. *Calls upon* those States responsible to cease immediately their military intervention in and occupation of foreign countries and territories and all acts of repression, discrimination, exploitation and maltreatment, particularly the brutal and inhuman methods reportedly employed for the execution of those acts against the peoples concerned;

4. *Deplores* the plight of millions of refugees and displaced persons who have been uprooted as a result of the aforementioned acts, and reaffirms their right to return to their homes voluntarily in safety and honour;

5. *Requests* the Commission on Human Rights to continue to give special attention to the violation of human rights, especially the right to self-determination, resulting from foreign military intervention, aggression or occupation;

6. *Requests* the Secretary-General to report on this question to the General Assembly at its fifty-sixth session under the item entitled "Right of peoples to self-determination".

² *Official Records of the Economic and Social Council, 2000, Supplement No. 3 (E/2000/23), chap. II, sect. A.*

³ A/55/176.

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Third Committee

Agenda item 113

Right of peoples to self-determination

Algeria, Angola, Bolivia, China, Costa Rica, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Egypt, Eritrea, Ethiopia, Fiji, Guatemala, India, Iran (Islamic Republic of), Iraq, Libyan Arab Jamahiriya, Niger, Nigeria, Sudan, Swaziland, Togo and Viet Nam: draft resolution

Use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination*The General Assembly,*

Recalling its resolution 54/151 of 17 December 1999, and taking note of Commission on Human Rights resolution 2000/3 of 7 April 2000,¹

Recalling also all of its relevant resolutions, in which, inter alia, it condemned any State that permitted or tolerated the recruitment, financing, training, assembly, transit and use of mercenaries with the objective of overthrowing the Governments of States Members of the United Nations, especially those of developing countries, and recalling further the relevant resolutions of the Security Council and the Organization of African Unity,

Reaffirming the purposes and principles enshrined in the Charter of the United Nations concerning the strict observance of the principles of sovereign equality, political independence, the territorial integrity of States, the non-use of force or of the threat of use of force in international relations and self-determination of peoples,

Reaffirming also that, by virtue of the principle of self-determination, as developed in the Declaration of Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations,² all peoples have the right freely to determine, without external

¹ Official Records of the Economic and Social Council, 2000, Supplement No. 3 (E/2000/23), chap. II, sect. A.

² Resolution 2625 (XXV), annex.



interference, their political status and to pursue their economic, social and cultural development and every State has the duty to respect this right in accordance with the provisions of the Charter,

Recognizing that mercenary activities continue to increase in many parts of the world and take on new forms, permitting mercenaries to operate in a better organized way, with increased pay, and that their numbers have grown and more persons are prepared to become mercenaries,

Alarmed and concerned about the danger that the activities of mercenaries constitute to peace and security in developing countries, in particular in Africa and in small States, and also elsewhere,

Deeply concerned about the loss of life, the substantial damage to property and the negative effects on the policy and economies of affected countries resulting from mercenary aggression and criminal activities,

Convinced that it is necessary for Member States to ratify the International Convention against the Recruitment, Use, Financing and Training of Mercenaries, adopted by the General Assembly on 4 December 1989,³ and to develop and maintain international cooperation among States for the prevention, prosecution and punishment of mercenary activities,

Convinced also that, notwithstanding the way in which mercenaries or mercenary-related activities are used or the form they take to acquire some semblance of legitimacy, they are a threat to peace, security and the self-determination of peoples and an obstacle to the enjoyment of human rights by peoples,

1. *Welcomes* the report of the Special Rapporteur of the Commission on Human Rights on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination;⁴

2. *Reaffirms* that the recruitment, use, financing and training of mercenaries are causes for grave concern to all States and violate the purposes and principles enshrined in the Charter of the United Nations;

3. *Recognizes* that armed conflict, terrorism, arms trafficking and covert operations by third Powers, inter alia, encourage the demand for mercenaries on the global market;

4. *Urges* all States to take the necessary steps and to exercise the utmost vigilance against the menace posed by the activities of mercenaries and to take the necessary legislative measures to ensure that their territories and other territories under their control, as well as their nationals, are not used for the recruitment, assembly, financing, training and transit of mercenaries for the planning of activities designed to destabilize or overthrow the Government of any State or threaten the territorial integrity and political unity of sovereign States, or to promote secession or to fight the national liberation movements struggling against colonial or other forms of alien domination or occupation;

³ Resolution 44/34, annex.

⁴ A/55/334.

5. *Calls upon* all States that have not yet done so to consider signing or ratifying the International Convention against the Recruitment, Use, Financing and Training of Mercenaries;³

6. *Welcomes* the cooperation extended by those countries that have received visits from the Special Rapporteur of the Commission on Human Rights on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination;

7. *Also welcomes* the adoption by some States of national legislation that restricts the recruitment, assembly, financing, training and transit of mercenaries;

8. *Invites* States to investigate the possibility of mercenary involvement whenever criminal acts of a terrorist nature occur;

9. *Requests* the Secretary-General to provide the Special Rapporteur with all the necessary assistance, both professional and financial;

10. *Recommends* that the Commission on Human Rights renew the mandate of the Special Rapporteur for a period of three years;

11. *Urges* all States to cooperate fully with the Special Rapporteur in the fulfilment of his mandate;

12. *Requests* the Office of the United Nations High Commissioner for Human Rights, as a matter of priority, to be programmed in its immediate activities, to publicize the adverse effects of mercenary activities on the right to self-determination and, when requested and where necessary, to render advisory services to States that are affected by the activities of mercenaries;

13. *Requests* the Secretary-General to invite Governments to make proposals towards a clearer legal definition of mercenaries, and, in this regard, strongly urges the United Nations High Commissioner for Human Rights to convene a workshop on the traditional and new forms of mercenary activities as a means of violating human rights and impeding the exercise of the right of peoples to self-determination before the fifty-seventh session of the Commission on Human Rights, so that a report on the outcome of the workshop may be presented to the Commission at its fifty-seventh session;

14. *Requests* the Special Rapporteur to report his findings on the use of mercenaries to undermine the right of peoples to self-determination, with specific recommendations, to the General Assembly at its fifty-sixth session;

15. *Decides* to consider at its fifty-sixth session the question of the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination under the item entitled "Right of peoples to self-determination".



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Third Committee

Agenda item 112

Elimination of racism and racial discrimination

Afghanistan, Argentina, Armenia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Costa Rica, Croatia, Cyprus, Denmark, Ecuador, El Salvador, Finland, France, Gambia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Liechtenstein, Lithuania, Luxembourg, Monaco, Namibia, Netherlands, Portugal, Romania, Slovakia, Slovenia, South Africa, Spain, Sweden, the former Yugoslav Republic of Macedonia, Ukraine, and the United Kingdom of Great Britain and Northern Ireland: draft resolution

International Convention on the Elimination of All Forms of Racial Discrimination

Recalling its previous resolutions concerning the reports of the Committee on the Elimination of Racial Discrimination and its resolutions on the status of the International Convention on the Elimination of All Forms of Racial Discrimination,¹ most recently resolution 53/131 of 9 December 1998,

Bearing in mind the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,² in particular section II.B of the Declaration, relating to equality, dignity and tolerance,

Reiterating the need to intensify the struggle to eliminate all forms of racial discrimination throughout the world, especially its most brutal forms,

Recalling its resolution 52/111 of 12 December 1997, in which it decided to convene a World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance no later than the year 2001,

Recalling also its resolution 53/132 of 9 December 1998, in which it decided to observe the year 2001 as the International Year of Mobilization against Racism, Racial Discrimination, Xenophobia and Related Intolerance,

¹ Resolution 2106 A (XX), annex.

² A/CONF.157/24 (Part I), chap. III.



Taking note of Commission on Human Rights resolution 2000/14 of 17 April 2000 on racism, racial discrimination, xenophobia and related intolerance,³

Reiterating the importance of the Convention, which is one of the most widely accepted human rights instruments adopted under the auspices of the United Nations,

Stressing the importance of achieving universal ratification of the Convention which will contribute to the fight against racism and racial discrimination,

Mindful of the importance of the contributions of the Committee to the effective implementation of the Convention and to the efforts of the United Nations to combat racism and all other forms of discrimination based on race, colour, descent or national or ethnic origin,

Noting that the reports submitted by States parties under the Convention contain, inter alia, information about the causes of, as well as measures to combat, contemporary forms of racism, racial discrimination, xenophobia and related intolerance,

Emphasizing the obligation of all States parties to the Convention to take legislative, judicial and other measures in order to secure full implementation of the provisions of the Convention,

Recalling its resolution 47/111 of 16 December 1992, in which it welcomed the decision, taken on 15 January 1992 by the Fourteenth Meeting of States Parties to the International Convention on the Elimination of All Forms of Racial Discrimination,⁴ to amend paragraph 6 of article 8 of the Convention and to add a new paragraph, as paragraph 7 of article 8, with a view to providing for the financing of the Committee from the regular budget of the United Nations, and reiterating its deep concern that the amendment to the Convention has not yet entered into force,

Stressing the importance of enabling the Committee to function smoothly and to have all necessary facilities for the effective performance of its functions under the Convention,

I

Reports of the Committee on the Elimination of Racial Discrimination

1. *Takes note* of the reports of the Committee on the Elimination of Racial Discrimination on its fifty-fourth and fifty-fifth⁵ and its fifty-sixth and fifty-seventh sessions,⁶ respectively;

2. *Commends* the Committee on its continuing efforts to contribute to the effective implementation of the International Convention on the Elimination of All Forms of Racial Discrimination,¹ especially the examination of reports under article 9 and action on communications under article 14 of the Convention, which

³ See *Official Records of the Economic and Social Council, 2000, Supplement No. 3 (E/2000/23)*, chap. II, sect. A.

⁴ See CERD/SP/45, annex.

⁵ *Official Records of the General Assembly, Fifty-fifth Session, Supplement No. 18 (A/55/18)*.

⁶ *Ibid.*, Supplement No. 18 A (A/55/18/Add.1).

contribute to the fight against racism, racial discrimination, xenophobia and related intolerance;

3. *Calls upon* States parties to fulfil their obligation, under paragraph 1 of article 9 of the Convention, to submit their periodic reports on measures taken to implement the Convention in due time;

4. *Expresses its concern* at the fact that a great number of reports are overdue and continue to be overdue, in particular initial reports, which constitutes an obstacle to the full implementation of the Convention;

5. *Encourages* States parties to the Convention whose reports are seriously overdue to avail themselves of the advisory services and technical assistance that the Office of the United Nations High Commissioner for Human Rights can provide, upon their request, for the preparation of the reports;

6. *Commends* the Committee for its continuing contribution to the prevention of racial discrimination, and welcomes its relevant action thereon;

7. *Encourages* the Committee to continue to contribute fully to the implementation of the Third Decade to Combat Racism and Racial Discrimination and its revised Programme of Action,⁷ including by continuing to cooperate and exchange information with United Nations bodies and mechanisms and intergovernmental organizations, particularly with the Subcommission on the Promotion and Protection of Human Rights and with the Special Rapporteur of the Commission on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, as well as with non-governmental organizations;

8. *Also encourages* States parties to continue to include a gender perspective in their reports to the Committee, and invites the Committee to take into account a gender perspective in the implementation of its mandate;

9. *Takes note with interest* of the contributions by the Committee to the preparatory process for the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, including undertaking a series of studies, making suggestions for the agenda and Plan of action for the World Conference, and preparing assessment of the best practices of States parties in combating racial discrimination;

10. *Invites* the Committee to continue to participate actively in the preparatory process for the World Conference and at the Conference itself;

11. *Encourages* all States, relevant United Nations bodies, international and regional organizations and non-governmental organizations to draw attention to the Convention and to the work of the Committee during the information and awareness-raising campaign for the World Conference and the International Year of Mobilization against Racism, Racial Discrimination, Xenophobia and Related Intolerance;

⁷ Resolution 49/146, annex.

II

Financial situation of the Committee on the Elimination of Racial Discrimination

1. *Takes note* of the report of the Secretary-General on the financial situation of the Committee on the Elimination of Racial Discrimination;⁸

2. *Expresses its profound concern* about the fact that a number of States parties to the International Convention on the Elimination of All Forms of Racial Discrimination have still not fulfilled their financial obligations, as shown in the report of the Secretary-General, and strongly appeals to all States parties that are in arrears to fulfil their outstanding financial obligations under paragraph 6 of article 8 of the Convention;

3. *Strongly urges* States parties to the Convention to accelerate their domestic ratification procedures with regard to the amendment to the Convention concerning the financing of the Committee and to notify the Secretary-General expeditiously in writing of their agreement to the amendment, as decided upon at the Fourteenth Meeting of States Parties to the International Convention on the Elimination of All Forms of Racial Discrimination on 15 January 1992,⁴ endorsed by the General Assembly in its resolution 47/111 of 16 December 1992 and further reiterated at the Sixteenth Meeting of States Parties on 16 January 1996;

4. *Requests* the Secretary-General to continue to ensure adequate financial arrangements and to provide the necessary support, including an adequate level of Secretariat assistance, in order to ensure the functioning of the Committee and to enable it to cope with its increasing amount of work;

5. *Also requests* the Secretary-General to invite those States parties to the Convention that are in arrears to pay the amounts in arrears and to report thereon to the General Assembly at its fifty-seventh session;

III

Status of the International Convention on the Elimination of All Forms of Racial Discrimination

1. *Takes note* of the report of the Secretary-General on the status of the International Convention on the Elimination of All Forms of Racial Discrimination;⁹

2. *Expresses its satisfaction* at the number of States that have ratified the Convention or acceded thereto, which now stands at one hundred and fifty-six;

3. *Reaffirms once again its conviction* that ratification of or accession to the Convention on a universal basis and the implementation of its provisions are necessary for the realization of the objectives of the Third Decade to Combat Racism and Racial Discrimination and for action beyond the Decade;

4. *Urges* all States that have not yet become parties to the Convention to ratify it or accede thereto as soon as possible, having in mind the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, to be held from 31 August to 7 September 2001 in South Africa;

⁸ A/55/266.

⁹ A/55/203.

5. *Urges* States to limit the extent of any reservation they lodge to the Convention and to formulate any reservation as precisely and as narrowly as possible in order to ensure that no reservation is incompatible with the object and purpose of the Convention or otherwise contrary to international treaty law, to review their reservations regularly with a view to withdrawing them, and to withdraw reservations that are contrary to the object and purpose of the Convention or that are otherwise incompatible with international treaty law;

6. *Requests* the States parties to the Convention that have not yet done so to consider the possibility of making the declaration provided for in article 14 of the Convention;

7. *Decides* to consider at its fifty-seventh session, under the item entitled "Elimination of racism and racial discrimination", the reports of the Committee on the Elimination of Racial Discrimination on its fifty-eighth and fifty-ninth and its sixtieth and sixty-first sessions, respectively, the report of the Secretary-General on the financial situation of the Committee and the report of the Secretary-General on the status of the Convention.



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Agenda item 112

Elimination of racism and racial discrimination

Belarus: draft resolution

Measures to be taken against neo-Nazi activities and other ideologies and practices based on racial or ethnic intolerance or discrimination, hatred and terror

The General Assembly,

Recalling that the United Nations emerged from the struggle against nazism, fascism, aggression and foreign occupation, and that the people expressed their resolve in the Charter of the United Nations to save succeeding generations from the scourge of war,

Aware of the determination proclaimed by the peoples of the world in the Charter of the United Nations to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small and to promote social progress and better standards of life in larger freedom,

Convinced that the best bulwark against neo-Nazi activities and other ideologies and practices based on racial or ethnic intolerance or discrimination, hatred and terror is the establishment and maintenance of democratic institutions, that the existence of genuine political, social and economic democracy is an effective vaccine and an equally effective antidote against the formation or development of neo-Nazi movements, and that a political system which is based on freedom and effective participation by the people in the conduct of public affairs and under which economic and social conditions are such as to ensure a decent standard of living for the population makes it impossible for nazism or other ideologies based on racism and racial discrimination, hatred and terror to exist,

Noting with regret that in the contemporary world there continue to exist various manifestations of neo-Nazi activities, as well as other ideologies and practices based on racial or ethnic intolerance or discrimination, hatred and terror, which entail contempt for the individual or a denial of the intrinsic dignity and



equality of all human beings and of equality of opportunity in the civil, political, economic and social and cultural spheres and in social justice,

Deeply alarmed at the recent intensification of activities of neo-Nazi and neo-Fascist groups and organizations,

Noting with concern the widening use by such groups and organizations of the opportunities provided by scientific and technological progress, including the Internet global computer network,

Expressing its serious concern at the intensification of activities in a number of States of the preachers of Fascist ideologies and at the growing coordination of their activities at the international level,

Recalling its resolutions 2331 (XXII) of 18 December 1967, 2438 (XXIII) of 19 December 1968, 2545 (XXIV) of 11 December 1969, 2713 (XXV) of 15 December 1970, 2839 (XXVI) of 18 December 1971, 34/24 of 15 November 1979, 35/200 of 15 December 1980, 36/162 of 16 December 1981, 37/179 of 17 December 1982, 38/99 of 16 December 1983, 39/114 of 14 December 1984, 40/148 of 13 December 1985, 41/160 of 4 December 1986 and 43/150 of 8 December 1988,

Recalling also Commission on Human Rights resolutions 1983/28 of 7 March 1983,¹ 1984/42 of 12 March 1984,² 1985/31 of 13 March 1985,³ 1986/61 of 13 March 1986,⁴ 1988/63 of 10 March 1988⁵ and 1990/46 of 6 March 1990,⁶

Taking into consideration the report of the Special Rapporteur of the Commission on Human Rights on measures to combat contemporary forms of racism, racial discrimination, xenophobia and related intolerance,⁷

Welcoming the convening of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance,

1. *Again resolutely condemns* neo-Nazi activities and other ideologies and practices based on racial or ethnic intolerance or discrimination, hatred and terror and entailing systematic denial of human rights and fundamental freedoms;

2. *Expresses its determination* to resist all neo-Nazi activities and other ideologies and practices which deprive people of basic human rights and fundamental freedoms and of equality of opportunity;

3. *Calls upon* all Governments to pay constant attention to educating the young in the spirit of respect for international law and fundamental human rights and freedoms and against neo-Nazism and other ideologies and practices based on terror, hatred and violence;

4. *Urges* all States to draw attention to the threats to democratic institutions by the above-mentioned ideologies and practices and to consider taking measures, in accordance with their national legal systems and the provisions of the Universal

¹ See *Official Records of the Economic and Social Council, 1983, Supplement No. 3 (E/1983/13)*, chap. XXVII.A.

² *Ibid.*, 1984, *Supplement No. 4 (E/1984/14)*, chap. II.A.

³ *Ibid.*, 1985, *Supplement No. 2 (E/1985/22)*, chap. II.A.

⁴ *Ibid.*, 1986, *Supplement No. 2 (E/1986/22)*, chap. II.A.

⁵ *Ibid.*, 1988, *Supplement No. 2 (E/1988/12)*, chap. II.A.

⁶ *Ibid.*, 1990, *Supplement No. 2 (E/1990/22)*, chap. II.A.

⁷ A/55/304, annex.

Declaration of Human Rights⁸ and the International Covenants on Human Rights,⁹ to prohibit or otherwise deter activities of groups or organizations or whoever is practising those ideologies;

5. *Invites* Member States to adopt, in accordance with their national constitutional systems and the provisions of the Universal Declaration of Human Rights and the International Covenant on Human Rights, as a matter of high priority, measures declaring punishable by law any dissemination of ideas based on racial superiority or hatred or of war propaganda, including neo-Nazism and other ideologies;

6. *Considers* that the best defence against any neo-Nazi activities and other ideologies and practices based on racial or ethnic intolerance or discrimination, hatred and terror lies in free and effective popular participation in democratic institutions, particularly in participation in free and fair elections held at reasonable intervals, based on the respect for the human rights proclaimed in relevant international human rights instruments;

7. *Requests* the Secretary-General to include in his report to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance information on the measures undertaken by Member States against neo-Nazi activities and other ideologies and practices based on racial or ethnic intolerance or discrimination, hatred and terror.

⁸ Resolution 217 A (III).

⁹ Resolution 2200 A (XXI), annex.



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Agenda item 112

Elimination of racism and racial discrimination

Belarus: revised draft resolution

Measures to be taken against neo-Nazi activities and any ideologies and practices based on racial or ethnic discrimination or superiority

The General Assembly,

Recalling that the United Nations emerged from the struggle against nazism, fascism, aggression and foreign occupation, and that the people expressed their resolve in the Charter of the United Nations to save succeeding generations from the scourge of war,

Aware of the determination proclaimed by the peoples of the world in the Charter of the United Nations to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small and to promote social progress and better standards of life in larger freedom,

Convinced that any doctrine of superiority based on racial differentiation is scientifically false, morally condemnable, socially unjust and dangerous, and that there is no justification for racial discrimination, in theory or in practice, anywhere,

Convinced also that the best bulwark against any ideologies and practices based on racial or ethnic discrimination or superiority, including neo-Nazism, is the establishment and maintenance of an environment, both at the national and international levels, which helps to prevent the formation or development of doctrines of racial or ethnic discrimination or superiority and makes it impossible for them to exist,

Noting with appreciation the efforts undertaken by different regional organizations against neo-Nazi activities and any ideologies and practices based on racial or ethnic discrimination or superiority,

Noting with regret that in the contemporary world there continue to exist various manifestations of neo-Nazi activities, as well as other ideologies and



practices based on racial or ethnic discrimination or superiority, which entail contempt for the individual or a denial of the intrinsic dignity and equality of all human beings and of equality of opportunity in the civil, political, economic and social and cultural spheres and in social justice,

Deeply alarmed at the recent intensification of activities of neo-Nazi groups and organizations,

Noting with concern the widening use by such groups and organizations of the opportunities provided by scientific and technological progress, including the Internet global computer network,

Expressing its serious concern at the rise of doctrines based on racial or ethnic discrimination or superiority and at the growing coordination of their activities in societies at large,

Recalling its resolutions 2331 (XXII) of 18 December 1967, 2545 (XXIV) of 11 December 1969, 35/200 of 15 December 1980, 36/162 of 16 December 1981, 37/179 of 17 December 1982, 38/99 of 16 December 1983, 39/114 of 14 December 1984, 41/160 of 4 December 1986 and 43/150 of 8 December 1988,

Recalling also Commission on Human Rights resolutions 1983/28 of 7 March 1983,¹ 1984/42 of 12 March 1984,² 1985/31 of 13 March 1985,³ 1986/61 of 13 March 1986,⁴ 1988/63 of 10 March 1988⁵ and 1990/46 of 6 March 1990,⁶

Taking into consideration the report of the Special Rapporteur of the Commission on Human Rights on measures to combat contemporary forms of racism, racial discrimination, xenophobia and related intolerance,⁷

Welcoming the convening of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance,

1. *Again resolutely condemns* neo-Nazism and any ideologies and practices based on racial or ethnic discrimination or superiority which entail abuse of human rights and fundamental freedoms;

2. *Expresses its determination* to resist neo-Nazism and any doctrines based on racial or ethnic discrimination or superiority, and especially their practices that can undermine the enjoyment of human rights and fundamental freedoms and of equality of opportunity;

3. *Affirms* that all States have the obligation to take all available means to combat neo-Nazi and other activities and practices based on racial or ethnic discrimination or superiority;

4. *Calls upon* all Governments to promote and encourage, especially among the young, respect for human rights and fundamental freedoms, as well as to

¹ See *Official Records of the Economic and Social Council, 1983, Supplement No. 3 (E/1983/13)*, chap. XXVII.A.

² *Ibid.*, 1984, *Supplement No. 4 (E/1984/14)*, chap. II.A.

³ *Ibid.*, 1985, *Supplement No. 2 (E/1985/22)*, chap. II.A.

⁴ *Ibid.*, 1986, *Supplement No. 2 (E/1986/22)*, chap. II.A.

⁵ *Ibid.*, 1988, *Supplement No. 2 (E/1988/12)*, chap. II.A.

⁶ *Ibid.*, 1990, *Supplement No. 2 (E/1990/22)*, chap. II.A.

⁷ A/55/304, annex.

promote awareness of and to fight against neo-Nazism and any ideologies and practices based on racial or ethnic discrimination or superiority;

5. *Urges* all States to consider the adoption, as a matter of high priority, of appropriate measures to eradicate activities and any dissemination of ideas based on racial or ethnic discrimination or superiority, including neo-Nazism and any ideologies and practices based on racial or ethnic discrimination or superiority, consistent with their national legal systems and in accordance with the provisions of the Universal Declaration of Human Rights,⁸ the International Covenants on Human Rights⁹ and especially the International Convention on the Elimination of All Forms of Racial Discrimination;¹⁰

6. *Requests* the Secretary-General to include in his report to the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance information on the measures undertaken by Member States against neo-Nazi activities and other ideologies and practices based on racial or ethnic intolerance or discrimination, hatred and terror.

⁸ Resolution 217 A (III).

⁹ Resolution 2200 A (XXI), annex.

¹⁰ Resolution 2106 A (XX), annex.